



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Nurse § AGREED  
Vocational License Number 65162 §  
issued to CONCEPCION O. QUINTERO § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CONCEPCION O. QUINTERO, Vocational Nurse License Number 65162, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Tex. Rev. Civ. Stat. 4528(c) Sec. 10(a)(9)(eff. date 9/1/1997) and Section 302.402(a)(2)&(10)(eff. 9/1/2001), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 31, 2011, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Southmost College Nursing School, Mission, Texas, on June 3, 1975. Respondent was licensed to practice vocational nursing in the State of Texas on November 23, 1975
5. Respondent's vocational nursing employment history is unknown.

6. On or about August 28, 1998, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on June 21, 1998), in the County Court At Law No. Two, Hidalgo County, Texas, under Cause No. 156735-B. Respondent was sentenced to confinement in the Hidalgo County Jail for a period of thirty (30) days; however, the imposition of sentence of confinement was suspended, and Respondent were placed on community supervision for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs. Probation was extended until Respondent paid all court ordered fees.
7. On or about December 15, 2003, Respondent submitted a Texas Online Renewal Document for Licensed Vocational Nurses to the Board of Nurse Examiners for the State of Texas in which Respondent provided false, deceptive, and/or misleading information, in that Respondent answered "No" to the question which reads, "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"
8. Respondent failed to disclose that on or about June 17, 2002, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on August 6, 2001), in the County Court At Law No. Two, Hidalgo County, Texas, under Cause No. CR-195171-B. Respondent was sentenced to confinement in the Hidalgo County Jail for a period of sixty (60) days: however, the imposition of sentence of confinement was suspended, and Respondent was placed on community supervision for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs.
9. In response to Findings of Fact Numbers Six (6) through Eight (8), Respondent states her entire criminal history amounts to two misdemeanor DWIs, the most recent of which was from nearly a decade ago. Moreover, neither were connected in any way with her practice as a nurse and she has built up ten years of incident-free practice since that time. She maintains she is not an alcoholic, she is not chemically dependant, and she does not have a substance abuse diagnosis. Respondent states she also wishes to express her regret that she did not disclose these previous convictions to the Board. Given the age and staleness of the charges, she was unaware that she was required to disclose convictions in which she had completed all community supervision requirements.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 , the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.

3. The evidence received is sufficient to prove violations of Section Tex. Rev. Civ. Stat. 4528(c) Sec. 10(a)(9) (eff. date 9/1/1997), and Section 302.402(a)(2)&(10)(eff. 9/1/2001) Texas Occupations Code, 22 TEX. ADMIN. CODE §239.11(29)(A)(iii)(eff. date 3/1/1998), and 22 TEX. ADMIN. CODE §239.11(8)(eff. date 9/1/2001).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 65162, heretofore issued to CONCEPCION O. QUINTERO, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

### ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved

provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(2) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). RESPONDENT SHALL pay this fine within forty-five days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

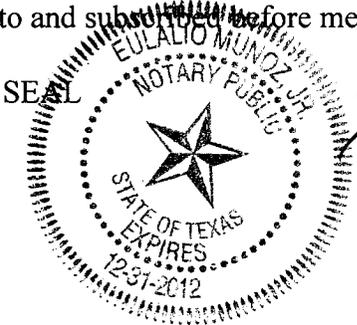
IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 24<sup>th</sup> day of MAY, 2011.  
x Concepcion Quintero  
CONCEPCION O. QUINTERO, Respondent

Sworn to and subscribed before me this 24<sup>th</sup> day of MAY, ~~20~~ 2011  
[Signature]  
Notary Public in and for the State of Texas

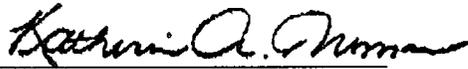


Approved as to form and substance.  
[Signature]  
Dan Lype, Attorney for Respondent

Signed this 31 day of May, 2011.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 24th day of May, 2011, by CONCEPCION O. QUINTERO, Vocational Nurse License Number 65162, and said Order is final.

Effective this 6th day of June, 2011.



Katherine A. Thomas, MN, RN  
Executive Director on behalf  
of said Board