BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 70099	§	
issued to CATALINA SALINAS MOIR	§	ORDER

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

An investigation by the Texas Board of Nursing, hereinafter referred to as the Bo produced evidence indicating that CATALINA SALINAS MOIR, Registered Nurse License Number 70099, hereinafter referred to as Respondent, may have violated Section 301.452 (b)(10)&(13), Texas Occupations Code.

An informal conference was held on November 30, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel. Respondent was represented by John F. Kapacinskas, Attorney at Law. In attendance were Denise Benbow, MSN, RN, Executive Director's Designee; Nikki Hopkins, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Nancy Krause, RN, Investigator.

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 notice and hearing, and consented 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 Del Mar College of Vocational Nursing School, Corpus Christi, Texas, on May 4, 1976. Respondent was licensed to practice vocational nursing in the State of Texas on November 19, 1976.

5. Respondent's nursing employment history includes:

5/1976 - 11/2000	Staff Nurse	Memorial Medical Center Corpus Christi, Texas
12/2000 - 3/2001	Unknown	
4/2001 - Present	Staff Nurse	CHRISTUS Spohn Hospital Shoreline Corpus Christi, Texas

6. At the time of the incidents in Findings of Fact Numbers Seven, (7) and Nine (9), Respondent was employed as a Staff Nurse with CHRISTUS Spohn Hospital Shoreline, Corpus Christi, Texas, and had been in this position for five (5) years and one (1) month.

7. On or about May 4, 2006, while employed as a Staff Nurse with CHRISTUS Spohn Hospital Shoreline, Corpus Christi, Texas, Respondent failed to accurately document that Patient MR#SH00448478, who had been medicated for pain using medications with potential for causing respiratory depression, experienced snoring and irregular respirations during sleep at home, as reported by the patient's wife. Additionally, Respondent failed to document that she intervened by contacting Respiratory Therapy to initiate oxygen saturation monitoring. Instead, Respondent documented that during sleep the patient was noted to have some sleep apnea. Respondent's failure to accurately document the patient's reported symptoms and her nursing interventions resulted in a inaccurate medical record that subsequent care givers would rely on to base further medical decisions.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the patient's wife mentioned that the patient snored at home and described symptoms consistent with sleep apnea. Respondent states she noted the medical record that the patient reported sleep apnea, observed there weren't signs of sleep apnea present at that time, and called Respiratory Therapy to initiate continuous pulse oximeter monitoring to measure the patient's oxygen saturation levels.

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 violation of Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(B)&(4).

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 70099, heretofore issued to CATALINA SALINAS MOIR, 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 a REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, 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 Texas Board of Nursing 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 <u>not</u> 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, within one (1) year of entry of this Order,successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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.*

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.

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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 29 day of March, 2011.

Catalina Salinas Moir

CATALINA SALINAS MOIR, RESPONDENT

Sworn to and subscribed before me this 29 day of March, 2011.

SEAL

Notary Public in and for the State of Texas

MISSY GARCIA
Notary Public, State of Texas
My Commission Expires
April 15, 2014

Approved as to form and substance.

John F. Kapacinskas, Attorney for Respondent

Signed this 30th day of March, 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 29th day of March, 2011, by CATALINA SALINAS MOIR, Vocational Nurse License Number 70099, and said Order is final.

Effective this 4th day of April, 2011.

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