BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 654180	§	
issued to CRISTINA A. ROSS	§	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

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of CRISTINA A. ROSS, Registered Nurse License Number 654180, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 25, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent received a Baccalaureate Degree in Nursing from The University of Texas, Austin, Texas, on July 1, 1998; and received a Master's Degree from the Family Nurse Practitioner (FNP) Program from The University of Southern Indiana, Evansville, Indiana, in July 2006. Respondent was licensed to practice professional nursing in the State of Texas on August 3, 1998; became Board recognized as a FNP in the State of Texas on September 13, 2006; and became Board recognized with Prescriptive Authorization on September 13, 2006.

5. Respondent's nursing employment history includes:

8/98 - 7/05	Unknown	
8/05 - 8/06	Full-time Student	
9/06 - 10/07	FNP Family Practice	Dr. Solomon Paley San Antonio, Texas
11/07 - 7/08	FNP	House Call Doctors Texas San Antonio, Texas
8/08 - 6/09	FNP	Premier Pain Consultants San Antonio, Texas
7/09 - 11/09	FNP	White Glove House Call Health San Antonio, Texas
12/09 - 1/10	Not employed in nursing	
2/10	FNP	Bariatric Medical Institute of Texas San Antonio, Texas
3/10 - 4/10	Not employed in nursing	
5/10 - 8/10	Certified Psychiatric Nurse	Patience Home Health Care San Antonio, Texas
9/10 - Present	FNP Lead Nurse Practitioner	Center for Health Care Services The Restoration Center San Antonio, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a FNP with White Glove House Call Health, San Antonio, Texas, and had been in this position for two (2) months.

7. On or about December 14,2010, the Texas Board of Nursing was notified that Respondent's Texas Controlled Substances Registration Number had expired on August 31, 2009; however, Respondent continued to authorize prescriptions for controlled substances after that date. Respondent's conduct was likely to deceive the pharmacies and is a violation of Chapter 481 of the Health and Safety Code (Controlled Substances Act).

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she was made aware that her Texas Controlled Substances Registration Number had expired in August 2009, by her previous employer, in December 2010. She states that she immediately contacted the Department of Public Safety and was told that there were only "a few prescriptions" written during that time for controlled substances and that it was "not uncommon for this to happen."

   Respondent explains that she had resigned her position with her previous employer on September 22, 2009, due to stress and grief, immediately following the death of her father.

   Respondent states that she has since reapplied for the Texas Controlled Substances Registration Number per the DPS instructions.

   In conclusion, Respondent states that she knows it is her responsibility to keep up with the registrations and licenses. "I can assure you this will not occur again, regardless of the amount of stress I may have in the future. I feel confident that being aware of the issue will make me hyper-vigilant and keep the tickler files in place for all my licenses."

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 301.452(b)(1)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A)&(4)(B) and 222.6(a)&(c).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 654180, heretofore issued to CRISTINA A. ROSS, 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 AND 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 two hundred fifty dollars ($250.00). RESPONDENT SHALL pay this fine within forty-five (45) 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.

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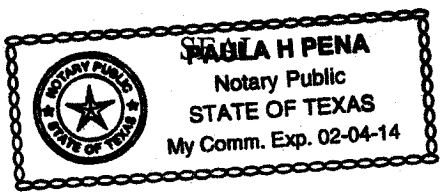
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. 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 14 day of March, 2011.

Cristina A. Ross
CRISTINA A. ROSS, Respondent

Sworn to and subscribed before me this 14th day of March, 2011.



Paula H Pena
Notary Public in and for the State of Texas

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 14th day of March, 2011, by CRISTINA A. ROSS, Registered Nurse License Number 654180, and said Order is final.

Effective this 23rd day of March, 2011.

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