BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Registered Nurse	§	AGREED
License Number 568677	§	
issued to RAYMOND TORRES JR.	§	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 Boai considered the matter of RAYMOND TORRES JR., Registered Nurse License Number 56867 , hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1) & (10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 28, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 professional nursing in the State of Texas.

4. Respondent received an Associate Degree in Nursing from San Jacinto College, Pasadena, Texas on August 1, 1990. Respondent was licensed to practice professional nursing in the State of Texas on March 18, 1991.

5. Respondent's professional nursing employment history includes:

March 1991 - 1992	Unknown

Respondent's professional nursing employment history continued:

1992 - 1995	RN	Devereux Hospital League City, Texas
11/95 - 03/01	RN	Tenet Health Care System Bellaire, Texas
03/01 - 10/03	RN	West Oaks Hospital Houston, Texas
11/03 - 02/04	Unknown	
03/04 - 05/06	RN	Texas Children's Hospital Houston, Texas
06/06 - 03/07	Unknown	
04/07 - Present	RN	Behavioral Hospital of Bellaire Houston, Texas

6. On July 28, 2006, Respondent was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas which required him to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated July 28, 2006, is attached and incorporated, by reference, as part of this Order.

7. On or about February 2, 2007, Respondent became non-compliant with the Agreed Order issued to him by the Board of Nurse Examiners for the State of Texas on July 28, 2006. Non-compliance is the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) contract in that he engaged in the use of alcohol as evidenced by his submission of a specimen for a drug screen which resulted positive for alcohol. Stipulation Number Three (3) of the Agreed Order dated July 28, 2006, states:

   "(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term."

   On or about March 6, 2007, Respondent was dismissed from TPAPN and referred back to the Board.

8. Regarding the conduct outlined in Finding of Fact Number Seven (7), Respondent states that he was not intentionally non-compliant, and that he screened positive for ETG after an

ingestion of a cold remedy prepared for him by his friend. Respondent submitted a letter from the aforementioned friend who stated that he had prepared a cold remedy with alcohol and gave it to Respondent several times the day before and day of Respondent's positive screen for alcohol. In a letter to the Board dated August 20, 2007, Respondent's attorney states that she advised Respondent that he needed to continue to comply with his TPAPN in every respect to include random screens, meeting attendance, employer evaluations and above all, to maintain his sobriety. Respondent also submitted the following documents to the Board:

- Copies of twice-monthly drug screens (all negative) uninterrupted, going back to April 2007 through April 2010.
- Copies of support group meetings attendance uninterrupted, going back to April 2007 through April 2010.
- Copies of performance evaluations from Behavioral Hospital of Bellaire dated August 1, 2007, March 6, 2008, and April 6, 2009. The 2007 rating scored "Performance Consistently Exceeds Expectations", 2008 scored "Distinguished," and 2009 scored "Exemplary."
- Letter of support from Marilyn Y. Howard, Nurse Educator, Behavioral Hospital of Bellaire, dated October 2008. She states that Respondent was first employed as a PRN nurse and then went on to become a full-time staff nurse. She states that Respondent excelled at his job and was promoted to House Supervisor. She states that Respondent can often be found at the nursing stations with a smile on his face and a warm greeting of 'Hello Friend.' She states that Respondent is not afraid to put in the hours to ensure that the job gets done. She states that when Hurricane Ike hit, Respondent generously spent many hours at BHG ensuring that the patients and staff were adequately cared for, ensuring that meals were prepared and that everyone was as comfortable as possible. She states that Respondent's willingness to go above and beyond "makes him BHB's HERO!"
- Letter dated October 7, 2009, from Susan J. Dorn, MA, LCDC, NCAC, Manager of Chemical Dependency Programs, Memorial Hermann Prevention and Recovery Center. Ms. Dorn states that Respondent was admitted to the center on April 11, 2006, and was treated under the supervision of Dr. Eugene Degner. She states that Respondent addressed all treatment goals in our program and was discharged after completing all recommended levels of care. She states that he was discharged on June 30, 2006.
- Letter dated October 14, 2009, from Dee Gardner, LCDC, Memorial Hermann Prevention and Recovery Center. Ms. Gardner states that Respondent participated in Tuesday Aftercare program for chemical dependency at the center. She states that he participated in sessions from June 2006 through July 2007 with his last date of attendance on July 17, 2007.

10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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)(1) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(9) & (11)(B).

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 568677, heretofore issued to RAYMOND TORRES JR., including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 568677, previously issued to RAYMOND TORRES JR., to practice professional nursing in Texas is hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

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 is encumbered by this order the 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.

(1) 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.

(2) 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.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of

Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of seven hundred fifty dollars ($750.00). 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, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on

RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

(9) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(10) For the first year of probation under this order, RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone

Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

(11) During the two year probationary period, RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on

the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 violation 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 20th day of August, 2010.

Raymond Torres Jr.

RAYMOND TORRES JR., Respondent

Sworn to and subscribed before me this 20 day of August, 2010.

SEAL

DOMINIQUE JERMAINE JOHNSON
Notary Public, State of Texas
My Comm. Expires 09-10-2011

Notary Public in and for the State of Texas

Approved as to form a[redacted]e.

ELIZABETH L. HIGGINBOTHAM, RN, JD, Attorney for Respondent

Signed this 3rd day of Sept, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of August, 20 10, by RAYMOND TORRES JR., Registered Nurse License Number 568677, and said Order is final.

Effective this 14th day of September, 20 10.

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Registered Nurse License Number 568677 issued to RAYMOND TORRES, JR.	§ §	AGREED ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of RAYMOND TORRES, JR., Registered Nurse License Number 568677, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(9), Revised Civil Statutes of Texas, as amended, and Section 301.452(b)(9) & (10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on June 7, 2006, 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.

2. Respondent waived representation by counsel, informal conference, 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 an Associate Degree in Nursing from San Jacinto College, Pasadena, Texas, on August 1, 1990. Respondent originally became licensed to practice professional nursing in the State of Texas on March 18, 1991.

5. Respondent's professional nursing employment history includes:

March 1991 - 1992	Unknown

Respondent's professional nursing employment history continued:

1992 - 1995	RN Devereux Hospital League City, Texas
November 1995 - March 2001	RN Tenet Health Care System Bellaire, Texas
March 2001 - October 31, 2003	RN West Oaks Hospital Houston, Texas
November 2003 - February 2004	Unknown
March 22, 2004 - May 2006	RN Texas Children's Hospital Houston, Texas

6. On or about April 17, 1984, Respondent plead guilty to the offense "Illegal Use of a Credit Card," a Felony, in the 208th Judicial District Court of Harris County, Houston, Texas, Cause Number 399863. An adjudication of guilt was deferred, and Respondent was placed on probation for a period of four (4) years. Respondent was ordered to pay a fine and court costs in the total amount of five hundred forty-six dollars ($546.00).

7. On or about August 6, 1999, Respondent plead guilty to the offense "Possession of a Controlled Substance PG 1 < 1G," a State Jail Felony, in the 339th Judicial District Court of Harris County, Houston, Texas, Cause Number 804809. An adjudication of guilt was deferred, and Respondent was placed on probation for a period of three (3) years. Respondent was ordered to pay a fine and court costs in the total amount of eight hundred eighty-six dollars ($886.00).

8. On or about August 9, 1999, Respondent plead guilty and was convicted of the offense "Driving While Intoxicated," a Class B Misdemeanor, in the Harris County Criminal Court at Law #1, Houston, Texas, Cause Number 9905776. Respondent was sentenced to confinement for a period of one hundred eighty (180) days in Harris County Jail. The imposition of the sentence was suspended, and Respondent was placed on probation for a period of one (1) year. Respondent was assessed court costs in the amount of two hundred fourteen dollars ($214.00).

9. On or about May 21, 2004, Respondent plead nolo contendere and was convicted of the offense "Driving While Intoxicated 2nd," a Class A Misdemeanor, in the Harris County Criminal Court at Law #2, Houston, Texas, Cause Number 1224574. Respondent was sentenced to confinement for a period of one year. The imposition of the sentence was suspended, and Respondent was placed on probation for a period of two (2) years. Respondent was ordered to a pay a fine and court costs in the total amount of six hundred forty-one dollars ($641.00).

10. On or about January 18, 2005, Respondent plead guilty and was convicted of the offense "Resist Arrest Search or Transport," a Class A Misdemeanor, in the Harris County Criminal Court at Law #2, Cause Number 1263782. Respondent was sentenced to confinement in Harris County Jail for a period of ten (10) days and assessed court costs in the amount of two hundred eleven dollars ($211.00).

11. On or about May 8, 2006, while employed with Texas Children's Hospital, Houston, Texas, Respondent engaged in the intemperate use of Cocaine in that he submitted a specimen for a drug screen which resulted positive for Cocaine. Possession of Cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

12. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Article 4525a, TEX. REV. STAT. ANN.

13. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.

14. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

15. On or about April 11, 2006, Respondent entered into a drug treatment program at Prevention and Recovery Center, Houston, Texas.

16. Respondent's conduct described in Findings of Fact Numbers Seven (7), Eight (8), Nine (9), Ten (10) and Eleven (11) resulted from Respondent's dependency on chemicals.

17. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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 Article 4525(b)(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(1).

4. The evidence received is sufficient to prove violations of Section 301.452(b)(9) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1), and 22 TEX. ADMIN. CODE §217.12(10)(D) & (13)(amended on September 28, 2004).

5. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 568677, heretofore issued to RAYMOND TORRES, JR., including revocation of Respondent's professional license to practice nursing in the State of Texas.

6. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars ($500) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure 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, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Board of Nurse Examiners, and 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 7 day of July, 2006.

RAYMOND TORRES, JR., Respondent

Sworn to and subscribed before me this 7 day of July, 2006.

SEAL

STEPHANIE HILL
Notary Public, State of Texas
My Commission Expires:
04/04/2009

Notary Public in and for the State of TX

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that was signed on the 7th day of July, 20 06, by RAYMOND TORRES JR., Registered Nurse License Number 568677, and said Order is final.

Entered and effective this 28th day of July, 20 06.

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