BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§
License Number 75203	§
issued to CARMEL FLORES TRUJILLO	§

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

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 75203, issued to CARMEL FLORES TRUJILLO, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing.

3. Respondent received a Certificate in Vocational Nursing from St. Philip's College, San Antonio, Texas, on September 2, 1977. Respondent was licensed to practice vocational nursing in the State of Texas on November 22, 1977.

4. Respondent's nursing employment history is unknown.

5. Formal Charges were filed on July 22, 2010. A copy of the Formal Charges is attached and incorporated, by reference, as part of this Order.

6. Formal Charges were mailed to Respondent on July 23, 2010.

7. On August 19, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas. A copy of Respondent's notarized statement, dated August 17, 2010, is attached and incorporated herein, by reference, as part of this Order.

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), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.

6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 75203, heretofore issued to CARMEL FLORES TRUJILLO, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of vocational nurse or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.

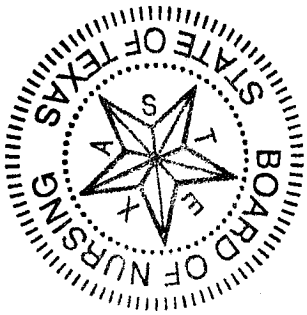
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.

3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

Effective this 1st day of October, 2010.

TEXAS BOARD OF NURSING



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

Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.state.tx.us

Katherine A. Thomas, MN, RN
Executive Director

July 23, 2010

Certified Mail No. 91 7108 2133 3938 1777 2356
Return Receipt Requested

Carmel Flores Trujillo
1315 Donaldson Avenue #203
San Antonio, Texas 78228

Dear Ms. Trujillo:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code. Within three weeks of the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Please send your written answer to the attention of John De La Rosa, Investigator. You may obtain legal counsel at your own expense.

FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.

Please be advised that should you fail to file a written answer, the case will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license or multistate privilege to practice professional nursing in the State of Texas.

The results of any default order or formal disposition (Board Order) are public information. Results of informal and formal dispositions will appear in the Board's newsletter under the heading of "Disciplinary Action."

Should you desire to discuss this matter, you may contact John De La Rosa, Investigator, Enforcement Division, at the above address, or at (512) 305-6873.

Sincerely,

Katherine A. Thomas

Katherine A. Thomas, MN, RN
Executive Director

KAT/jd

Enclosure: Formal Charges

09/99-DA

Members of the Board

Linda Rounds, PhD, FNP, RN
Galveston, *President*

Deborah Bell, CLU, ChFC, Abilene; Kristin Benton, MSN, RN, Austin; Patricia Clapp, BA, Dallas; Tamara Cowen, MN, RN, Harlingen; Sheri Crosby, JD, SPHR, Dallas; Marilyn Davis, BSN, RN, MPA, Sugar Land

Blanca Rosa Garcia, PhD, RN; Richard Gibbs, LVN; Kathy Leader-Horn, LVN; Josefina Lujan, PhD, RN; Beverley Jean Nutall, LVN; Mary Jane Salgado, MEd, Eagle Pass

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 45203, Issued to	§	
CARMEL FLORES TRUJILLO, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CARMEL FLORES TRUJILLO, is a Vocational Nurse holding license number 45203, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about October 20, 2009, Respondent entered a plea of No Contest to MISAPP FIDUC/FIN INSTIT $1500 (a State Jail Felony offense), in the 186th District Court of Bexar County, Texas, under Cause No. 2008CR3158. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of three (3) years. Additionally, Respondent was ordered to pay a fine, court costs and restitution in the amount of eight thousand six hundred fifty-three dollars and sixty-five cents ($8653.65).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars ($1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses for Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

Filed this 22 day of July, 2010.

TEXAS BOARD OF NURSING

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103
Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

0999/D

8-17-10

To whom it may concern:

I, Carmel Flores Trujillo, SS# 467-88-9984 voluntary surrender my nursing license in state of Texas. Any questions please feel free to call 210-605-5198. Address 5122 Galahad Dr San Antonio, Tex 78218

Carmel Flores Trujillo

ALISHIA A YRUEGAS
Notary Public, State of Texas
My Commission Expires
3-09-2013

Alishia A. Yruegas