BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Nurse	§	AGREED
License Number 194101	§	
issued to VERONICA RENEE BARRERA	§	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 Boa considered the matter of VERONICA RENEE BARRERA, Vocational Nurse License Num 194101, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 24, 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 representation by counsel, 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 St. Phillips College, San Antonio, Texas, on December 11, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on July 22, 2004.

5. Respondent's vocational nursing employment history is unknown.

6. On or about October 28, 1998, Respondent entered a plea of Nolo Contendere to ASSAULT (a Class A Misdemeanor offense committed on January 9, 1998), in the County Court at Law No. 1 of Nueces County, Texas, under cause No. 98-2621-1. 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 nine (9) months. Additionally, Respondent was ordered to pay a fine and court costs.

7. In Response to Finding of Fact Number Six (6), Respondent stated she was currently in high school and was at a friends house. A girl approached Respondent friend and a confrontation started between them. A few days later a warrant was issued for Respondent and the parents of her friend for being present at the time. Respondent and her lawyer settled out of court in a mediation and received deferred adjudication and it was dismissed.

8. On or about June 3, 2004, Respondent submitted an Application by NCLEX-PN Examination for Licensed Vocational Nurses to the Board of Nurse Examiners for the State of Texas, in which she provided false, deceptive, and/ or misleading information, in that she answered "No" to the question: "Have you been convicted, adjudged guilty by a court, plead guilty or nolo contendere to any crime in any state, territory or country, whether or not sentence was imposed, including any pending criminal charges or unresolved arrest?"

   Respondent failed to disclose that on or about October 28, 1998, Respondent entered a plea of Nolo Contendere to ASSAULT (a Class A Misdemeanor offense committed on January 9, 1998), in the County Court at Law No. 1 of Nueces County, Texas, under cause No. 98-2621-1. 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 nine (9) months. Additionally, Respondent was ordered to pay a fine and court costs.

9. In Response to Finding of Fact Number Eight (8), Respondent stated the reason for Non-disclosure was according to the nursing practice act was that you must report to the Board upon any conviction. Respondent was never convicted of either offense therefore she did not report it at the time.

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 Section 301.452(b)(2)&(10), Texas Occupations Code,. and 22 TEX. ADMIN. CODE §217.12(6)(I).

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 194101, heretofore issued to VERONICA RENEE BARRERA, including revocation of Respondent's license(s) 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 RESPONDENT SHALL receive the sanction of a 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 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 pay a monetary fine in the amount of two hundred fifty dollars ($250). 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.

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 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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of October, 2010.

VERONICA RENEE BARRERA, Respondent

Sworn to and subscribed before me this 14 day of October, 2010.

SEAL

Notary Public in and for the State of Texas

JEANNIE A. KEMP
Notary Public
STATE OF TEXAS
Commission Exp. 06-02-2013
Notary without Bond

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the _14th_day of _October_, 20_10_, by VERONICA RENEE BARRERA, Vocational Nurse License Number 194101, and said Order is final.

Effective this 20th day of _October_, 20_10_.

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