BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	
Registered Nurse License Number 697179	§	AGREED
Vocational Nurse License Number 179240	§	ORDER
issued to TIFFANY DAWN BENITEZ	§	

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 Bc considered the matter of TIFFANY DAWN BENITEZ, Registered Nurse License Number 697179 and Vocational Nurse License Number 179240 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on October 24, 2008, 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 and vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Saint Philips College, San Antonio, Texas, on December 14, 2000. Respondent was licensed to practice vocational nursing in the State of Texas on February 15, 2001. Respondent received an Associate Degree in Nursing from San Antonio College, San Antonio, Texas, on May 9, 2003. Respondent was licensed to practice professional nursing in the State of Texas on July 1, 2003.

5. Respondent's professional and vocational nursing employment history includes:

01/00 - 12/00	Staff Nurse/ LVN	Stone Oak Family Practice San Antonio, Texas
08/00 - 02/01	Staff Nurse/ LVN	University Hospital San Antonio, Texas
01/01 - 10/03	Staff Nurse	Forum at Lincoln Heights San Antonio, Texas
08/03 - 10/05	Staff Nurse	Brooke Army Medical Center San Antonio, Texas
10/04 - 05/05	Staff Nurse	St. Luke's Baptist Hospital San Antonio, Texas
05/05 - 08/06	Assistant Director of Nursing	Allcare, Inc. San Antonio, Texas
09/05 - 11/05	Agency Nurse	InteliStaf San Antonio, Texas
06/05 - 02/06	Case Manager	Optimacare San Antonio, Texas
02/06 - 08/06	Agency Nurse	Nix Home Care San Antonio, Texas
06/06 - 11/07	Staff Nurse	Princeton Place Nursing Home San Antonio, Texas
08/06 - 04/07	Charge Nurse/ Relief Supervisor	Kindred Hospital San Antonio, Texas
04/08 - 06/08	Staff Nurse	HealthSouth Riosa San Antonio, Texas
07/08 - 09/08	Agency Nurse	Favorite Healthcare Staffing San Antonio, Texas
10/08 - Present	Unknown	

6. On June 12, 2007, Respondent was issued a Warning with Stipulations by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated June 12, 2007, is attached and incorporated by reference as part of this Order.

7. At the time of the incidents in Findings of Fact Number Eight (8) through Number Eleven (11), Respondent was employed as a Staff Nurse with Princeton Place, San Antonio, Texas, and had been in this position for one (1) year and five (5) months.

8. On or about November 27, 2007, while employed with Princeton Place Nursing Home, San Antonio, Texas, Respondent withdrew Lortab 5/500mg from the medication dispensing system for Patient Medical Record Number 1132, but failed to completely and accurately document the administration of the medication in the patient's Medication Administration Record and/or Nurse's Notes. Furthermore, The medication was discontinued by the physician on November 25, 2007. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose and the administration of Lortab without a valid physician's order could result in the patient suffering from adverse reactions.

9. On or about November 27, 2007, while employed with Princeton Place Nursing Home, San Antonio, Texas, Respondent withdrew Lortab 5/500mg from the medication dispensing system for patients, but failed to follow the policy and procedure for wastage of the medications. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substance Act).

10. On or about November 27, 2007, while employed with Princeton Place Nursing Home, San Antonio, Texas, Respondent misappropriated Lortab 5/500mg belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

11. On or about November 27, 2007, while employed with Princeton Place Nursing Home, San Antonio, Texas, Respondent lacked fitness to practice professional nursing in that, while on duty, Respondent exhibited behavior including but limited to: slurred speech, falling asleep, unsteady gait, staggering, and trying to eat a banana with the peel on it. As a result of her behavior Respondent was relieved from duty and sent home. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

12. At the time of the incidents in Findings of Fact Number Thirteen (13) through Seventeen (17), Respondent was employed as a Staff Nurse with HealthSouth Riosa, San Antonio, Texas , and had been in this position for two (2) months.

13. On or about May 26, 2008 through June 4, 2008, while employed with HealthSouth Riosa, San Antonio, Texas, Respondent withdrew Hydrocodone from the Medication Dispensing System (Med Dispense) for Patient Medical Record Number 211159, without valid physicians' orders. Respondent's conduct was likely to injure the patient in that the administration of Hydrocodone without a valid physician's order could result in the patient suffering from adverse reactions.

14. On or about May 26, 2008 through June 4, 2008, while employed with HealthSouth Riosa, San Antonio, Texas, Respondent withdrew One Hundred Fifty One (151) Tabs of Hydrocodone from the Medication Dispensing System (Med Dispense) for various patients in doses which were in excess frequency of the physicians' orders. Respondent's conduct was likely to injure the patients in that the administration of Hydrocodone in excess frequency of the physician's order could result in the patient suffering from adverse reactions.

15. On or about May 26, 2008 through June 4, 2008, while employed with HealthSouth Riosa, San Antonio, Texas, Respondent withdrew Eighty Two (82) Tabs of Hydrocodone and Two (2) Tabs of Oxycodone from the Medication Dispensing System (Med Dispense) for patients, but failed to document, or accurately document the administration of the medications in the patients' Medication Administration Records and/or nurse's notes. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

16. On or about May 26, 2008 through June 4, 2008, while employed with HealthSouth Riosa, San Antonio, Texas, Respondent withdrew Eighty Two (82) Tabs of Hydrocodone and One (1) Tab of Oxycodone from the Medication Dispensing System (Med Dispense) for various patients, but failed to follow the facility's policy and procedure for the wastage of the medications. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substance Act).

17. On or about May 26, 2008 through June 4, 2008, while employed with HealthSouth Riosa, San Antonio, Texas, Respondent misappropriated Hydrocodone and Oxycodone from the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

18. On or about September 4, 2008, while employed with Favorites Healthcare Staffing, San Antonio, Texas, and on assignment with North Central Baptist Hospital, San Antonio, Texas, Respondent lacked fitness to practice professional nursing in that while on duty Respondent was observed falling asleep, having slurred speech, and appeared confused. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

19. On or about September 4, 2008, while employed with Favorites Healthcare Staffing, San Antonio, Texas, and on assignment with North Central Baptist Hospital, San Antonio, Texas, Respondent misappropriated Morphine, Seroquel, Hydromorphone, Tizamidine, and Zolpidem Tartrate belonging to the facility and patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

20. On or about September 4, 2008, while employed with Favorites Healthcare Staffing, San Antonio, Texas, and on assignment with North Central Baptist Hospital, San Antonio, Texas, Respondent engaged in the intemperate use of Opiates in that Respondent submitted a specimen for a drug screen which resulted positive for Opiates. Possession of Opiates is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Opiates by a 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.

21. 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.

22. 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.

23. Respondent's conduct described in Findings of Fact Numbers Eight (8) through Twenty (20) resulted from Respondent's impairment by dependency on chemicals.

24. 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 Section 301.452(b)(9)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A)(C)(D)(T) and 217.12(1)(A)(E),(5),(6)(A)(G),(8),(10)(A)(B)(C)(D)&(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 697179 and Vocational Nurse License 179240, heretofore issued to TIFFANY DAWN BENITEZ, including revocation of Respondent's licenses to practice professional and vocational nursing in the State of Texas.

5. 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):

RESPONDENT SHALL deliver the wallet-sized license issued to TIFFANY DAWN BENITEZ, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order for appropriate notation.

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, 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 participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep his/her license to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

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 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 Texas Board of Nursing 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 nursing in the State of Texas.

IT IS FURTHER AGREED, SHOULD RESPONDENT be convicted of the offense as outlined in Finding of Fact Number Seven (7), said judicial action will result in further disciplinary action including Revocation of Respondent's license to practice vocational nursing in the State of Texas.

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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. 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 Texas Board of Nursing, 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 and vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30 day of March, 2009.

Tiffany Dawn Benitez

TIFFANY DAWN BENITEZ, Respondent

Sworn to and subscribed before me this 23 day of March, 2009

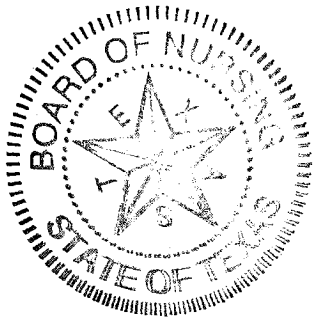
SEAL

Deborah J. Cordoza

Notary Public in and for the State of Texas

DEBORAH J. CORDOZA
MY COMMISSION EXPIRES
April 9, 2012

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 30th day of March, 2009, by TIFFANY DAWN BENITEZ, Registered Nurse License Number 697179 and Vocational Nurse License Number 179240, and said Order is final.



Entered and effective this **2nd** day of **April**, **2009**.

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
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In the Matter of Registered Nurse	§	AGREED
License Number 697179 and Vocational	§	ORDER
Nurse License Number 179240	§	
issued to TIFFANY DAWN BENITEZ (CHISOLM)	§	

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that TIFFANY DAWN BENITEZ (CHISOLM), hereinafter referred to as Respondent, Registered Nurse License Number 697179 and Vocational Nurse License Number 179240, Section 301.452(b)(10), Texas Occupations Code.

An informal conference was held on April 10, 2007, at the office of the Board of Nurse Examiners, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by John F. Legris, Attorney at Law. In attendance were Mary Beth Thomas, MN, RN, Director of Nursing, Executive Director's Designee; Beverley Jean Nutall, LVN, Board Member; Victoria Cox, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Susan Anderson, RN, Investigator; and Robert M. Cantu, 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.

2. Respondent waived notice and hearing, and consented to the entry of this Order.

3. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Saint Philips College, San Antonio, Texas, on December 14, 2000. Respondent was licensed to practice vocational nursing in the State of Texas on February 15, 2001. Respondent received an Associate Degree in Nursing from San Antonio College, San Antonio, Texas, on May 9, 2003. Respondent was licensed to practice professional nursing in the State of Texas on July 1, 2003.

5. Respondent's professional and vocational nursing employment history includes:

February 2001 to December 2001	LVN Stone Oak Family Practice San Antonio, Texas
January 2002 to November 2003	Staff Nurse Forum at Lincoln Heights San Antonio, Texas
October 2003 to October 2004	Staff Nurse Brooke Army Medical Center San Antonio, Texas
October 2004 to November 2005	Agency Nurse Intelistaf Healthcare, Inc. San Antonio, Texas
December 2005 to Present	Staff Nurse Kindred Hospital San Antonio, Texas

6. At the time of the incidents described in Findings of Fact Numbers Seven (7) and Eight (8), Respondent was employed as an Agency Nurse with Intelistaf Healthcare, Inc., San Antonio, Texas, and was on assignment at Christus Santa Rosa Medical Center, San Antonio, Texas, and had been in this position for approximately one (1) year and one (1) month.

7. On or about November 18, 2005, while employed with Intelistaf Healthcare, Inc., San Antonio, Texas, and on assignment at Christus Santa Rosa Medical Center, San Antonio, Texas, Respondent signed out two (2) tablets of Darvocet-N for Patient RN02397386 (Patient M.R.), but failed to document said narcotic in the patient's medication administration record (MAR) and/or nurse's notes. Respondent's conduct above was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

8. On or about November 18, 2005, while employed with Intelistaf Healthcare, Inc., San Antonio, Texas, and on assignment at Christus Santa Rosa Medical Center, San Antonio, Texas, Respondent lacked fitness to practice professional nursing in that she exhibited bizarre behavior while on duty, including, but not limited to: anxiety, nervousness, and disorientation. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

9. Formal Charges were filed on January 29, 2007.

10. Formal Charges were mailed to Respondent on February 7, 2007.

11. On July 8, 2006, Respondent submitted notes from her Psychiatrist, George G. Meyer, and he indicated that the Respondent takes Xanax on an as needed basis to treat Anxiety and Panic Attacks. Furthermore, Respondent has been treated with additional medications for Depression.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B),(D)(ii)&(iv) and 22 TEX. ADMIN. CODE §217.12 (1)(E),(4),(5)&(10)(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 697179 and Vocational Nurse License Number 179240, heretofore issued to TIFFANY DAWN BENITEZ (CHISOLM), including revocation of Respondent's professional and vocational licenses to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, 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 § 211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional and/or vocational nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are 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 that:

(1) RESPONDENT SHALL deliver the wallet-sized licenses issued to TIFFANY DAWN BENITEZ (CHISOLM), to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. 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) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED AND/OR A LICENSED VOCATIONAL NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS

FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A REGISTERED AND/OR VOCATIONAL NURSE LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD.

(4) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice professional and/or vocational nursing. The report must indicate whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the stipulation period, or until RESPONDENT is dismissed from therapy. Enclose the list of Board accepted Therapists/Counselors with Order.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional and/or vocational nursing in the State of Texas.

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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 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 professional and/or vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15th day of May, 2007.

Tiffany Benitez

TIFFANY DAWN BENITEZ (CHISOLM), Respondent

Sworn to and subscribed before me this 15th day of May, 2007.

SEAL

Jessica Sanchez

Notary Public in and for the State of Texas

Jessica Sanchez
Notary Public
State of Texas
My Comm. Exp. 4-8-2009

Approved as to form and substance.

John F. Legris

JOHN F. LEGRIS, Attorney for Respondent

Signed this 9th day of May, 2007.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 15th day of May, 2007, by TIFFANY DAWN BENITEZ (CHISOLM), Registered Nurse License Number 697179 and Vocational Nurse License Number 179240, and said Order is final.

Effective this 12th day of June, 2007.

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