



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.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of	§	AGREED ORDER
RAJEENA VARGHESE,	§	
Registered Nurse License Number 711701	§	FOR
& PETITIONER for	§	
Eligibility for Advanced Practice Licensure	§	DISCIPLINE & ELIGIBILITY

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of Registered Nurse License Number 711701 and the Application for Authorization to Practice/for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority, and supporting documents filed by RAJEENA VARGHESE, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be subject to discipline and ineligible for advanced practice licensure/authorization pursuant to Sections 301.452(b)(2),(8)&(10) and 301.453, Texas Occupations Code.

PETITIONER waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on July 7, 2015.

FINDINGS OF FACT

1. On or about December 24, 2014, PETITIONER submitted an Application for Authorization to Practice/for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.2(b) and §213.30.

2. Petitioner waived notice and hearing and consented to the entry of this Order.
3. Petitioner received a Diploma in Nursing from Bombay Nurses Training Institute, Bombay Hospital, Maharashtra, India, on December 28, 1994, and received a Masters Degree from Walden University, Minneapolis, Minnesota, on November 1, 2014. Petitioner was licensed to practice professional nursing in the State of Texas on December 9, 2004.
4. Petitioner completed the Application for Authorization to Practice/for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority and answered "No" to the question which reads as follows: *"Has **any** licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"*
5. On or about July 22, 2010, Petitioner was issued an Agreed Order by the Texas Board of Nursing, issuing the sanction of Warning with Stipulations and placing her nursing license on probation for one (1) year. On or about July 28, 2011, Petitioner satisfied all conditions of probation and was issued an unencumbered license. A copy of the July 22, 2010, Agreed Order is attached and incorporated, by reference, as part of this Order.
6. On or about February 10, 2012, Petitioner was issued a Final Order by the Florida State Board of Nursing placing a Reprimand Censure against her nursing license. A copy of the February 10, 2012, Final Order is attached and incorporated, by reference, as part of this Order.
7. After considering the action taken by the Texas Board of Nursing and the Florida Board of Nursing, along with Petitioner's subsequent conduct, the Executive Director is satisfied that Petitioner should be able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
8. Petitioner has sworn that, with the exception of matters disclosed in connection with the Application for Authorization to Practice/for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority, her past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
9. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
10. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
11. Licensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.

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12. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
13. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
14. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

#### CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.
2. On or about December 24, 2014, PETITIONER submitted an Application for Authorization to Practice/for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.2(b) and §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for discipline and denial of a license under Section 301.452(b)(2),(8)&(10), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
6. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

## TERMS OF ORDER

### I. SANCTION AND ELIGIBILITY

IT IS THEREFORE AGREED and ORDERED that PETITIONER SHALL receive the sanction of **REMEDIAL EDUCATION WITH A FINE** in accordance with the terms of this Order, and upon payment of the required fees and meeting all other applicable requirements, PETITIONER SHALL be issued the applicable license to practice nursing in the State of Texas

### II. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, PETITIONER agrees to obtain, read, and 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.

- A. Until successfully complete, any and all licenses issued to PETITIONER shall be subject to the terms of this Order.
- B. This Order SHALL be applicable to PETITIONER's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. PETITIONER may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where PETITIONER wishes to work.

### III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that 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. Home study courses and video programs will not be approved.

- B. 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/these course(s), PETITIONER SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. PETITIONER SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

**IV. MONETARY FINE**

PETITIONER SHALL **pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) 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.

**V. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application and/or petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application and/or petition, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

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.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 15<sup>th</sup> day of September 2015

Rajeena Varghese  
RAJEENA VARGHESE, PETITIONER

Sworn to and subscribed before me this 15<sup>th</sup> day of September, 2015.

SEAL

[Signature]  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for Discipline and Eligibility that was signed on the 15<sup>th</sup> day of September, 2015, by RAJEENA VARGHESE, Registered Nurse License Number 711701 and PETITIONER for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority, and said Order is final.

Effective this 25<sup>th</sup> day of September, 2015.



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

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PRACTITIONER REGULATION  
LEGAL

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,  
Petitioner,**

**v.**

**RAJEENA E. VARGHESE, R.N.,  
Respondent.**

**CASE NO.: 2010-14568**

**SETTLEMENT AGREEMENT**

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Agreement to the Board of Nursing as disposition of the Administrative Complaint, attached hereto as Exhibit "A", in lieu of any other administrative proceedings. The terms herein become effective only if and when a Final Order accepting this Agreement is issued by the Board and filed. In considering this Agreement, the Board may review all investigative materials regarding this case. If this Agreement is rejected, it, and its presentation to the Board, shall not be used against either party.

**STIPULATED FACTS**

1. Respondent is a **REGISTERED NURSE** in the State of Florida holding license number **RN 9267525**.
2. The Respondent is charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapters 456

and/or 464, Florida Statutes. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit A.

3. Respondent neither admits nor denies the factual allegations contained in the Administrative Complaint.

### STIPULATED LAW

1. Respondent admits that she is subject to the provisions of Chapters 456 and 464, Florida Statutes, and the jurisdiction of the Department and the Board.

2. Respondent admits that the stipulated facts, if proven true, constitute violations of laws as alleged in the Administrative Complaint.

3. Respondent admits that the Agreement is a fair, appropriate and reasonable resolution to this pending matter.

### PROPOSED DISPOSITION

1. The Board of Nursing shall reprimand the license of the Respondent.

2. The Respondent must pay an administrative fine in the amount of **two hundred fifty dollars (\$250.00)** and investigative costs not to exceed **one thousand five hundred thirty-four dollars and seventeen cents (\$1,534.17)** within two (2) years from the date of entry of the Final Order. However, if the Respondent is in the Intervention Project for Nurses (IPN), the payment is due prior to completion of IPN. If the Respondent's license is suspended by the terms of this agreement, the payment is due prior to the application for reinstatement of the license. If the Respondent is placed on probation, the payment is due prior to the completion of the probationary period. The Respondent has the responsibility to

document financial hardship prior to the due date of the payment. Payment must be by money order. Partial payments shall be accepted. Payment shall be made to the Board of Nursing and mailed to, Compliance Management Unit, Bin C76, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Nursing Compliance Officer.

3. The license of **RAJEENA E. VARGHESE, R.N.**, is suspended until she personally appears before the Board and can demonstrate his/her present ability to engage in the safe practice of nursing. Within thirty (30) days the Respondent shall return her license to the Board office, 4053 Bald Cypress Way, Bin C02, Tallahassee, Florida 32399-3252, or shall surrender the license to an investigator of the Department of Health. The Respondent shall immediately inform the employer in writing regarding the suspension with a copy to the Board office. The Board reserves the right to impose reasonable conditions of reinstatement at the time the Respondent appears before the Board to demonstrate her present ability to engage in the safe practice of nursing.

4. The Respondent shall not violate Chapter 456 or 464, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice nursing. Violation of an order from another state/jurisdiction shall constitute grounds for violation of the Board Order adopting this Agreement.

5. It is expressly understood that this Agreement is subject to the approval of the Board and Department and has no force and effect until an Order is entered adopting the Agreement.

6. This Agreement is executed by the Respondent for the purpose of avoiding further administrative action by the Board of Nursing regarding the acts or omissions specifically set forth in the Administrative Complaint attached hereto. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to, or in conjunction with, consideration of the Agreement. Furthermore, should this joint Agreement not be accepted by the Board, it is agreed that presentation to, and consideration of, this Agreement and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings. Respondent shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law.

7. Respondent and the Department fully understand that this joint Agreement and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached hereto. This Agreement relates solely to the current disciplinary proceedings arising from the above-mentioned Administrative Complaint and does not preclude further action by other divisions, departments, and/or sections of the Department, including but not limited to the Agency for Health Care Administration's Medicaid Program Integrity Office.

8. The Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this disciplinary proceeding.

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9. Respondent waives all rights to appeal and further review of this Agreement and these proceedings.

**WHEREFORE**, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

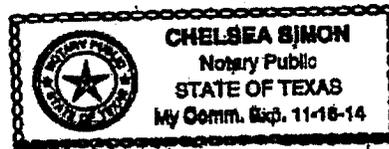
**SIGNED** this 17 day of October, 2011.

Rajeena Varghese  
**RAJEENA E. VARGHESE, R.N.**

Before me personally appeared Rajeena Varghese whose identity is known to be by Texas Nurses License (type of Identification), and who under oath, acknowledges that his/her signature appears above.

Sworn to and subscribed by Respondent before me this 17 day of October, 2011.

Chelsea Simon  
Notary Public  
My Commission Expires:



**APPROVED** this 31 day of October, 2011.

H. Frank Farmer, Jr., M.D., Ph.D.  
State Surgeon General

Jodi Ann V. Johnson  
**Counsel for Petitioner:**  
**Philip F. Monte**  
Assistant General Counsel  
FBN: 0580406  
Department of Health  
Prosecution Services Unit  
4052 Bald Cypress Way, BIN #C-65  
Tallahassee, Florida 32399-3265

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**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2010-14568**

**RAJEENA E. VARGHESE, R.N.**

**RESPONDENT.**

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**ADMINISTRATIVE COMPLAINT**

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Rajeeena E. Varghese, R.N., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

2. At all times material to this Administrative Complaint, Respondent was a registered nurse (R.N.) within the state of Florida, having been issued license number RN 9267525.

3. Respondent's address of record is 1404 Flora Ave. North, Leigh Acres, Florida 33971.

4. On or about June 12, 2010, the Texas Board of Nursing approved an agreed-upon order ("Agreed Order"), which provided that the Respondent would receive the sanction of Warning with Stipulations. Some of the stipulations included that Respondent would complete a course in Texas nursing jurisprudence and ethics, complete a course in medication administration, complete a course entitled "Sharpening Critical Thinking Skills", be supervised by a Registered Nurse who is on work premises, and have her employer submit quarterly reports for a period of one year.

5. The Texas Board of Nursing is the licensing authority for the practice of nursing in the state of Texas.

6. Section 464.018(1)(b), Florida Statutes (2009), provides that having a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country constitutes grounds for disciplinary action.

7. Respondent had a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country when the Texas Board of Nursing approved the Agreed Upon Order which gave Respondent the sanction of a Warning with Stipulations.

8. Based on the foregoing, Respondent violated Section 464.018(1)(b), Florida Statutes (2009), by having a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.

**WHEREFORE**, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

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SIGNED this 12<sup>th</sup> day of April, 2011.

H. Frank Farmer, Jr., M.D., Ph.D.  
State Surgeon General



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Philip Monte  
Assistant General Counsel  
DOH Prosecution Services Unit  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, Florida 32399-3265  
Florida Bar Number 580406  
(850) 245 - 4640 Telephone  
(850) 245 - 4683 Facsimile

FILED  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK *Sandra Soto*  
DATE *APR 13 2011*

PCP: *4-12-11*  
PCP Members: *Kirkpatrick & Mobley*  
/PM

## **NOTICE OF RIGHTS**

**Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.**

## **NOTICE REGARDING ASSESSMENT OF COSTS**

**Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.**