

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 616043  
ISSUED TO  
RAMONA LYNN ORTEGA

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BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE 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.  
*Ramona Lynn Ortega*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: Ramona Lynn Ortega  
605 N. Access Road #260  
Longview, Texas 75602

During open meeting held in Austin, Texas, on December 13, 2011, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 616043, previously issued to RAMONA LYNN ORTEGA, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 13th day of December, 2011.



TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*  
KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed October 3, 2011.

Re: Permanent Certificate Number 616043  
Issued to RAMONA LYNN ORTEGA  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of December, 2011, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Ramona Lynn Ortega  
605 N. Access Road #260  
Longview, Texas 75602

BY:



\_\_\_\_\_  
KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

**In the Matter of Permanent License** § **BEFORE THE TEXAS**  
**Number 616043, Issued to** §  
**RAMONA LYNN ORTEGA, Respondent** § **BOARD OF NURSING**

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, RAMONA LYNN ORTEGA, is a Registered Nurse holding license number 616043, 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 March 20, 2009 through May 8, 2009, while employed as a Registered Nurse with Baylor Regional Medical Center, Tyler, Texas, Respondent withdrew Dilaudid from the Medication Dispensing System (Omniceil) for patients in excess dosage/frequency of the physicians's orders, as follows:

Date	Patient	Order	Omniceil	MAR	Notes	Pain Assessment	Waste
5/7/09	3209806	Change Dilaudid 1-2mg IV q4h prn @ 1410	Dilaudid 2mg @ 2141	Given at 2145 (no dosage indicated)	Documents she medicated through night to see MAR/pain assess.	2120-Dilaudid 2mg	None
5/7/09	3209806	Change Dilaudid 1-2mg IV q4h prn @ 1410	Dilaudid 2mg @ 2323	Given at 2300 (no dosage indicated)	Documents she medicated through night to see MAR/pain assess.	2300-Dilaudid 2mg	None
5/8/09	3209806	Change Dilaudid 1-2mg IV q4h prn @ 1410	Dilaudid 2mg @ 2445	Given at 0100(no dosage indicated)	(See above note)	None	None
3/20/09	3195436	Dilaudid 2-4mg prn q3h IV	Dilaudid 4mg @ 1805	Given at 1800(no dosage indicated)	None by Ortega	1800-Dilaudid 4mg	None
3/23/09	3195436	Dilaudid 2-4mg prn q4h IV	Dilaudid 4mg @ 2120	Given at 2130(no dosage indicated)	2130-4mg Dilaudid	2130-Dilaudid 4mg	None

Respondent's conduct was likely to injure the patient in that the administration of Dilaudid in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(C),(1)(D)&(1)(M) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

### CHARGE II.

On or about March 21, 2009 through May 8, 2009, while employed as a Registered Nurse with Baylor Regional Medical Center, Tyler, Texas, Respondent withdrew Dilaudid from the Medication Dispensing System (Omnicell) for patients, but failed to document, or accurately document the administration of the medications in the Medication Administration Records and/or nurse's notes, as follows:

Date	Patient	Order	Omnicell	MAR	Notes	PA	Waste
5/7/09	3209806	Dilaudid 1-2mgprn q4h IV	2mg Dilaudid @ 1927	Given at 1930(no dosage indicated)	See Above Note	None	None
5/8/09	3209806	Dilaudid 1-2mgprn q4h IV	2mg Dilaudid @ 2445	Given at 0100(no dosage indicated)	See Above Note	None	None
3/21/09	3195436	Dilaudid 2-4mgprn q3h IV	4mg Dilaudid @ 0222	Given at 0230(no dosage indicated)	0600 PRN meds provided per MAR & pain sheet	0230-4mg Dilaudid	None
3/23/09	3195436	Dilaudid 2-4mgprn q4h IV	4mg Dilaudid @ 2359	Given at 0030(no dosage indicated)	0600 PRN meds provided per MAR & pain sheet	0030-4mg Dilaudid	None
3/24/09	3195436	Dilaudid 2-4mgprn q4h IV	4mg Dilaudid @ 0401	Given at 0430(no dosage indicated)	0600 PRN meds provided per MAR & pain sheet	0430-4mg Dilaudid	None
4/12/09	3198830	Dilaudid 1-2mg IV q2h prn breakthrough pain	2mg Dilaudid @ 1858	Given at 1900(no dosage indicated)	1900- 2mg Dilaudid to assist with pain. (Late Entry)	None	None

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) &(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A)&(1)(D), and 217.12(4)&(11)(B).

**CHARGE III.**

On or about March 18, 2009 through May 8, 2009, while employed as a Registered Nurse with Baylor Regional Medical Center, Tyler, Texas, Respondent withdrew Dilaudid and Demerol from the Medication Dispensing System (Omniceil) for patients, but failed to follow the facility's policy and procedure for the wastage of any of the unused portions of the medications, as follows:

Date	Patient	Order	Omniceil	MAR	Notes	PA	Waste
4/13/09	3198830	Dilaudid 1-2mg IV q2hprn break through pain	2mg Dilaudid @ 0541	None	None	None	None
5/8/09	3208107	Demerol 25-50mg IV q4h prn severe pain	50mg Demerol @ 0529	None	None	None	None
3/23/09	3195436	Dilaudid 2-4mg prn q4h IV	4mg Dilaudid @ 1856	None	0630 documents PRN meds provided per MAR & Pain Sheet	None	None

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 Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A) and 217.12(4),(10)(C)&(11)(B).

**CHARGE IV.**

On or about August 16, 2009 and August 17, 2009, while employed as a Registered Nurse with Med Staffing, Plano, Texas, and on assignment with Doctor's Hospital at White Rock Lake, Dallas, Texas, Respondent withdrew Dilaudid, Morphine and Lyrica from the Medication Dispensing System for patients, but failed to document, or accurately document the administration of the medication in the patients' Medications Administration Records, and/or nurse's notes, as follows:

Date	Patient	Order	Narc Log	MAR	Nurse's Notes	Waste
8/16/09	5108187	Dilaudid .5-1mg q2h prn	1mg Dilaudid @ 2046	None	None	None

8/16/09	5108187	Dilaudid .5-1mg q2h prn	1mg Dilaudid @ 0448	None	None	None
8/16/09	5105323	Lyrica 50mg PO BID	50mg Lyrica @ 2158	None (MAR indicates that the med was discontinued)	2115-refused Lyrica as she had "swelling" with drug when previously provided.	None
8/17/09	5090997	Morphine 2mg IVP q6	2mg Morphine @ 0459	None	None	None
8/17/09	5090997	Morphine 2mg IVP q6	2mg Morphine @ 0503	None	None	None

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) &(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A)&(1)(D), and 217.12(4)&(11)(B).

#### CHARGE V.

On or about August 16, 2009, while employed as a Registered Nurse with Med Staffing, Plano, Texas, and on assignment with Doctor's Hospital at White Rock Lake, Dallas, Texas, Respondent withdrew Demerol from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedures for the wastage of any of the unused portions 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 Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A)&(B) and 217.12(4),(10)(C)&(11)(B).

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 Nursing Practice Act, Chapter 301, Texas Occupations Code and 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](http://www.bon.state.tx.us).

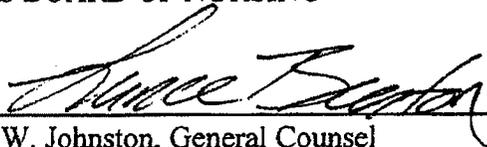
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses for Lying and Falsification, for Fraud, Theft & Deception, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

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](http://www.bon.state.tx.us/disciplinaryaction/discp-matrix.html).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated April 15, 2009.

Filed this 3<sup>rd</sup> day of October, 2011.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena 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

Attachments: Order of the Board dated April 15, 2009  
D/2010.12.28



6. On or about August 24, 2006, Respondent submitted a Texas Online Renewal Document to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

*"Have you ever been arrested, convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, or received a court order whether or not a sentence was impose, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudications with or without a finding of guilty. Please note that DUI's, DWI's and PII's must be reported and are not considered minor traffic violations."*

7. On June 1, 2006, Respondent was requested to comply with a random criminal background audit check. The results revealed the following non disclosed criminal history to wit:

On or about April 15, 2005, Respondent plead guilty to the offense of Class "C" Theft , in the County Court at Law # 3, Smith County, Texas, Cause #003-84988-04. Respondent was sentenced to a fine in the amount of five hundred dollars (\$500.00) and court costs.

#### 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 violations of Section 301.452(b) (2),(3) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I)&(13).
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 616043, heretofore issued to RAMONA LYNN ORTEGA, including revocation of Respondent's license to practice professional 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 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 multistate licensure privilege, 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 that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to RAMONA LYNN ORTEGA to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of 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) contact 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 pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). 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, 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 nursing in the State of Texas.

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CONTINUED ON NEXT PAGE.

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 when this Order becomes final and the terms of this Order become effective, 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.

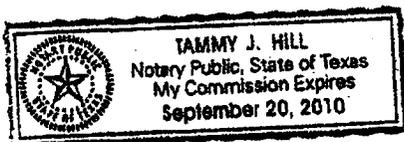
Signed this 23 day of March, 2009

Ramona L Ortega  
RAMONA LYNN ORTEGA, Respondent

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

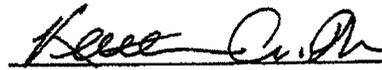
SEAL

Tammy J Hill  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 23 day of MARCH, 2009, by RAMONA LYNN ORTEGA, Registered Nurse License Number 616043, and said Order is final.

Effective this 15 day of APRIL, 2009.

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

