

IN THE MATTER OF §
PERMANENT REGISTERED NURSE §
LICENSE NUMBER 520675 & §
PRIVILEGE TO PRACTICE FROM §
MARYLAND REGISTERED NURSE §
LICENSE NUMBER R179716 ISSUED TO §
MIGUEL JOSE PORTUONDO §

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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.
Patricia R. Plummer
Executive Director of the Board

ORDER OF THE BOARD

TO: Miguel Jose Portuondo
1747 59th Street
Brooklyn, NY 11204

During open meeting held in Austin, Texas, on September 11, 2012, the Texas Board of Nursing 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 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(s) to practice 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 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.

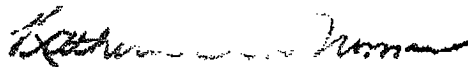
NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 520675 and Privilege to Practice from Maryland Registered Nurse License Number R179716, previously issued to MIGUEL JOSE PORTUONDO, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 11th day of September, 2012.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed February 28, 2012.

Re: Permanent Registered Nurse License Number 520675
& Privilege to Practice from Maryland
Registered Nurse License Number R179716
Issued to MIGUEL JOSE PORTUONDO
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

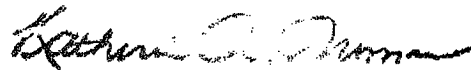
I hereby certify that on the 13th day of September, 2012, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Miguel Jose Portuondo
1747 59th Street
Brooklyn, NY 11204

cc Miguel Jose Protuondo
6735 New Hampshire Ave., Apt. 805 E
Takoma Park, Maryland 20912

Miguel Jose Portuondo
5750 Curtis Clark Dr., Apt 9
Corpus Christi, Texas 78412-4582

BY:



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

In the Matter of Permanent License	§	BEFORE THE TEXAS
Number 520675 and Privilege to Practice	§	
from Maryland Registered Nurse License	§	
Number R179716, Issued to	§	
MIGUEL JOSE PORTUONDO, Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MIGUEL JOSE PORTUONDO, is a Registered Nurse holding license number 520675, which is in inactive status at the time of this pleading and holds Privilege to Practice from Maryland Registered Nurse License Number R179716 which is in delinquent 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 April 4, 2011 through June 6, 2011, while utilizing Respondent's Privilege to Practice from Maryland Registered Nurse License Number R179716, employed as a Registered Nurse with CHRISTUS Spohn Hospital Corpus Christi-Shoreline, Corpus Christi, Texas, Respondent, and participating in the preceptor orientation period, Respondent failed to care adequately for his assigned patients in that he:

- demonstrated a lack of basic medication administration knowledge in that he failed to know and understand the medication actions, medication duration, medication side effects and the considerations prior to administering medications;
- was non-compliant to the National Patient Safety Goals regarding patient identification when performing patient care tasks regarding medication withdrawals and administration;
- failed to complete critical thinking requirements and was unable to communicate competent nursing skills to his assigned patients; and
- was unable to work independently without a preceptor resulting in patient complaints and ultimately in termination from CHRISTUS Spohn Hospital Corpus Christi-Shoreline, Corpus Christi, Texas.

Respondent's failure to conform to the minimum standards of acceptable nursing practice unnecessarily exposed his patients to risk of harm and potential danger.

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)(B),(C),(R)&(T) and 22 TEX. ADMIN. CODE §217.12(1)(A),(B)&(4).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/privilege 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

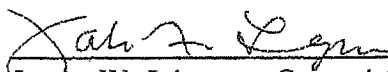
Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

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.texas.gov.

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

Filed this 28th day of February, 2012.

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