



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 P. Roman
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 652063 §
issued to ANTHONY MARTINEZ § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the B accepted the voluntary surrender of Registered Nurse License Number 652063, issued to ANTHONY MARTINEZ, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Texas A & M University, Corpus Christi, Texas, on May 1, 1998. Respondent was licensed to practice professional nursing in the State of Texas on June 25, 1998.

5. Respondent's professional employment history includes:

5/98 - 6/99	Staff Nurse	Spohn Health Systems Spohn Shoreline Hospital Corpus Christi, Texas
6/99 - 2/01	Staff Nurse	University Health Systems San Antonio, Texas
9/00 - 6/01	Staff Nurse	Central Texas Medical Center San Marcos, Texas
6/01 - 7/05	Travel Nurse	Intensivo Nursing Brownsville, Texas
3/03 - 11/04	Staff Nurse	Christus Spohn Health System Corpus Christi, Texas
2004 - 2005	Agency Nurse	Achievers Professional Staffing McAllen, Texas
6/05 - 8/05	Travel Nurse	Advantage RN Winchester, Ohio
9/05 - Unknown	Staff Nurse	Doctor's Hospital of Laredo Laredo, Texas

6. On July 23, 2009, Respondent was issued the sanction of a Warning with Stipulations by the Texas Board of Nursing. A copy of the July 23, 2009, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On or about July 24, 2010, Respondent failed to comply with the Agreed Order issued to him on July 23, 2009, by the Texas Board of Nursing. Noncompliance is the result of his failure to comply with Stipulation Number Two (2) of the Agreed Order which states, in pertinent part:

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics....

8. On or about July 24, 2010, Respondent failed to comply with the Agreed Order issued to him on July 23, 2009, by the Texas Board of Nursing. Noncompliance is the result of his failure to comply with Stipulation Number Three (3) of the Agreed Order which states, in pertinent part:

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration....

9. On or about July 24, 2010, Respondent failed to comply with the Agreed Order issued to him on July 23, 2009, by the Texas Board of Nursing. Noncompliance is the result of his failure to comply with Stipulation Number Four (4) of the Agreed Order which states, in pertinent part:

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation....

10. On or about July 24, 2010, Respondent failed to comply with the Agreed Order issued to him on July 23, 2009, by the Texas Board of Nursing. Noncompliance is the result of his failure to comply with Stipulation Number Five (5) of the Agreed Order which states, in pertinent part:

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course "Sharpening Critical Thinking Skills,"...

11. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license to practice nursing in the State of Texas.

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)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 652 064, heretofore issued to ANTHONY MARTINEZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 652064, heretofore issued to ANTHONY MARTINEZ, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing.

In connection with this acceptance, the Board imposes the following conditions:

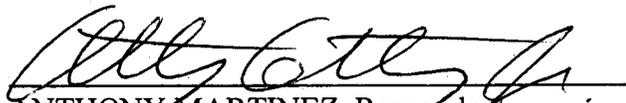
1. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

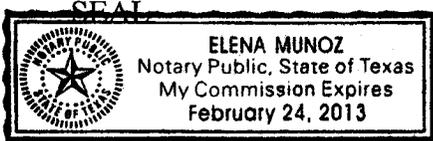
RESPONDENT'S CERTIFICATION

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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 14 day of June, 2011.

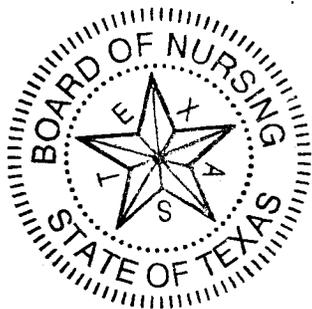

ANTHONY MARTINEZ, Respondent

Sworn to and subscribed before me this 14 day of June, 2011.




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 accept the voluntary surrender of Registered Nurse License Number 652064, previously issued to ANTHONY MARTINEZ.



Effective this 23rd day of June, 2011.

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse	§	AGREED
License Number 652063	§	
issued to ANTHONY MARTINEZ	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ANTHONY MARTINEZ, Registered Nurse License Number 652063, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(8), (10) & (13), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on January 10, 2008, 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.
2. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Texas A & M University - Corpus Christi, Corpus Christi, Texas, on May 1, 1998. Respondent was licensed to practice professional nursing in the State of Texas on June 25, 1998.

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5. Respondent's professional nursing employment history includes:

5/98 - 6/99	Staff Nurse	Spohn Health Systems Spohn Shoreline Hospital Corpus Christi, Texas
5/99 - 2/01	Staff Nurse	University Health Systems San Antonio, Texas
9/00 - 6/01	Staff Nurse	Central Texas Medical Center San Marcos, Texas
6/01 - 7/05	Travel Nurse	Intensivo Nursing Brownsville, Texas
3/03 - 11/04	Staff Nurse	Christus Spohn Health System Corpus Christi, Texas
2004 - 2005	Agency Nurse	Achievers Professional Staffing McAllen, Texas
6/05 - 8/05	Travel Nurse	Advantage RN Winchester, Ohio
9/05 - present	Staff Nurse	Doctor's Hospital of Lardo Laredo, Texas

6. On or about September 20, 2007, Respondent was issued an Order to Revoke Multistate Licensure Privilege in Arizona and Cease and Desist Order by the Arizona State Board of Nursing. A copy of the September 20, 2007, Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as part of this Order.
7. On February 13, 2008, the Arizona State Board of Nursing rescinded the September 20, 2007 order and accepted Respondent's Voluntary Surrender of his privilege to practice in Arizona. A copy of the February 13, 2008, Order of the Arizona Board of Nursing is attached and incorporated herein.
8. Charges were filed on October 25, 2007.
9. Charges were mailed to Respondent on October 25, 2007.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 and 304.001, 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)(8), (10) & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A)(C)(D)& (P) and 22 TEX. ADMIN. CODE §217.12(1)(A)(B) & (4).
4. The evidence received is sufficient cause pursuant to Sections 304.001 and 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 652063, heretofore issued to ANTHONY MARTINEZ, 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 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 Professional 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 nursing in compact states.

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 that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to ANTHONY MARTINEZ, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification 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 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 Chemical Dependency, 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/about/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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/about/stipscourses.html>.*

(4) 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 at the following Board website address:*
<http://www.bon.state.tx.us/about/stipscourses.html>.

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address:*
<http://www.learningext.com/products/generalce/critical/ctabout.asp>.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR

OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH 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 THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) For the duration of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the

same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for one (1) year of employment as a nurse.

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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RESPONDENT'S CERTIFICATION

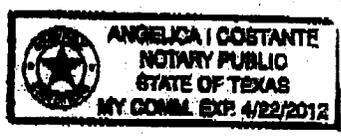
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 22 day of May, 2008.
[Signature]
ANTHONY MARTINEZ, Respondent

Sworn to and subscribed before me this 22 day of May, 2008.

SEAL

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



Approved as to form and substance.
[Signature]
Louis Leichter, Attorney for Respondent

Signed this 22 day of May, 2008.

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 nursing in the State of Texas, as a consequence of my noncompliance.

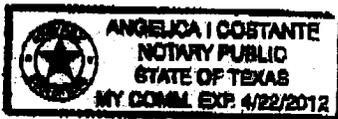
Signed this 22 day of May, 2008.⁹

ANTHONY MARTINEZ, Respondent

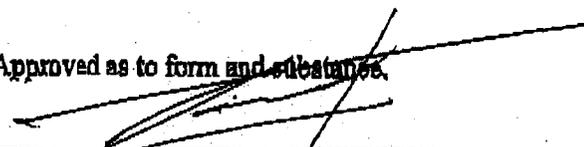
Sworn to and subscribed before me this 22 day of May, 2008.⁹

SEAL

Angelica D. Costante
Notary Public in and for the State of Texas



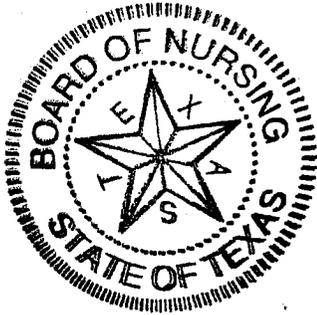
Approved as to form and substance.


Louis Leichter, Attorney for Respondent

Signed this 24 day of May, 2008.⁹

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22nd day of July, 2009, by ANTHONY MARTINEZ, Registered Nurse License Number 652063, and said Order is final.

Effective this 23rd day of July, 2009.




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

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF THE PRIVILEGE TO)
PRACTICE NURSING UNDER THE NURSE)
LICENSURE COMPACT IN THE STATE OF)
ARIZONA)
ISSUED TO:)
ANTHONY MARTINEZ)
RESPONDENT)
NURSE LICENSE NO.: 652063 (RN))
STATE OF: TEXAS)

ORDER TO REVOKE
MULTISTATE LICENSURE
PRIVILEGE IN ARIZONA
AND
CEASE AND DESIST ORDER
NO. 0509114

On September 20, 2007, the Arizona State Board of Nursing ("Board") and ("Remote State") considered the multistate licensure privilege of Anthony Martinez ("Privilege Holder") and ("Respondent").

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds professional nurse licensure, with multistate licensure privileges ("Privilege") under the Nurse Licensure Compact ("Compact"), issued by Texas, a Compact State.
2. From on or about June 3, 2005 to on or about August 10, 2005, Respondent was employed by Advantage RN, a staffing agency, and assigned to Western Arizona Regional Medical Center in Bullhead City, Arizona.
3. On or about August 3, 2005, Respondent wrote an order to change Levaquin from the intravenous (IV) to the oral route for patient G. G., without obtaining the order from the patient's physician. Respondent documented he obtained a "p.o." from the doctor.

4. On or about November 17, 2005, on his Investigative Questionnaire, Respondent explained he changed the route of G. G.'s medication because the patient reported her IV was no longer patent, and she refused the insertion of a new line. Respondent documented on the patient's medical record the IV was within normal limits. Respondent also failed to report problems with the IV to the patient's physician, and failed to document he removed the patient's IV in her medical record.

5. On or about August 4, 2005, Respondent wrote an order to insert a naso-gastric tube into patient G. B., and inserted the tube, without obtaining the order from the patient's physician. Respondent documented he obtained a "p.o." from the doctor. G. B.'s physician informed Respondent's manager that he did not order a naso-gastric tube for the patient.

6. On or about August 10, 2005, Respondent's manager alleged Respondent left medications at a patient's bedside. On or about August 15, 2007, in an interview with Board staff, Respondent admitted he sometimes left medications at patients' bedsides if they were not ready to take the medications when he passed them. Respondent also admitted he also left medications at the bedside that patients took at home, but were not in the hospital's formulary.

7. On or about August 15, 2007, in an interview with Board staff, Respondent admitted he sometimes gave medications at times they were not due, without involving the physician to obtain a change in the scheduled administration times. Respondent stated he did this if patients did not want to take medications at the times they were scheduled to be given.

8. On or about November 17, 2005, on his Investigative Questionnaire, Respondent explained that "p.o." stood for "personal order," which signified the physician allowed him the discretion to order things for patients. Respondent wrote his intent was to ensure honesty in his documentation.

administrative decision of the matter if it is not settled at the conference. For answers to questions regarding the appeals process, contact Susan Barber at (602) 889-5161.

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridenour R.N. M.N.

Joey Ridenour, R.N., M.N.
Executive Director

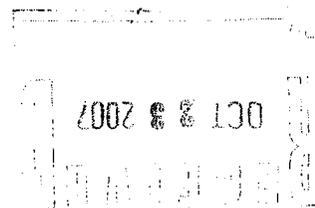
Dated: September 20, 2007

JR/SMM:smm

COPY mailed this 18th day of October, 2007, by First Class Mail and by Certified Mail Receipt No. 7006 3450 0000 4186 5403 to:

Anthony Martinez
1275 Glenoak Drive
Corpus Christi, Texas 78418

By: Esther Garcia



ARIZONA STATE BOARD OF NURSING
4747 North 7th Street, Suite 200
Phoenix, Arizona 85014-3653
602-889-5150

IN THE MATTER OF THE PRIVILEGE TO)	CONSENT AGREEMENT AND
PRACTICE NURSING UNDER THE NURSE)	CEASE AND DESIST ORDER
LICENSURE COMPACT IN THE STATE OF)	NO. 07A-0509114-NUR
ARIZONA ISSUED TO:)	
)	
ANTHONY MARTINEZ,)	
Respondent.)	
)	
NURSE LICENSE NO.: 652063 (RN))	
STATE OF TEXAS)	

A complaint ("Complaint") alleging Anthony Martinez ("Respondent") violated the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). Respondent would like to resolve this matter without the need for more formal proceedings in Arizona. The Board has determined that it is in the public interest to resolve this case as set forth below. In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. §32-1668, Respondent voluntarily agrees to surrender his privilege, pursuant to the Nurse Licensure Compact, A.R.S. § 32-1668 ("Compact"), to practice as a professional nurse in the State of Arizona, and to cease and desist the practice of nursing in the State of Arizona, until the conclusion of the disciplinary action now pending against Respondent's license before the Texas Board of Nursing regarding the Complaint.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds professional nurse licensure, with multistate licensure privileges under the Compact, issued by Texas, a Compact State.
2. From on or about June 3, 2005 to on or about August 10, 2005, Respondent was employed by Advantage RN, a staffing agency, and assigned to Western Arizona Regional Medical Center ("WARMC") in Bullhead City, Arizona.
3. During Respondent's tenure at WARMC, on or about August 3, 2005, Respondent wrote an order to change Levaquin from the intravenous (IV) to the oral route for patient G. G. (prior to patient's discharge home the next morning), without personally obtaining an order from the patient's physician, and documented he obtained a "p.o." from the physician. The physician subsequently signed off on the order and discharged G.G. on oral Levaquin.
4. On or about November 17, 2005, on his Investigative Questionnaire responding to the Complaint, Respondent explained he changed the route of G. G.'s medication because the patient reported her IV was no longer patent, and she refused the insertion of a new line. Previously, Respondent had documented on the patient's medical record the IV was within normal limits. Respondent did not report problems with the IV to the patient's physician, and did not document he removed the patient's IV in her medical record.
5. On or about August 4, 2005, Respondent wrote an order to insert a naso-gastric tube into patient G. B., who had multiple violent vomiting episodes and limited physical movement, and inserted the tube, without obtaining the order from the patient's physician. Respondent documented he obtained a "p.o." from the doctor. G. E.'s physician informed Respondent's manager that he did not order a naso-gastric tube for the patient, but the physician subsequently signed off on the order.

6. On or about August 10, 2005, Respondent's manager alleged Respondent left Tylenol and other medication at a patient's bedside. On or about August 15, 2007, in an interview with Board staff, Respondent admitted he left Tylenol at the patient's bedside because she was not ready to take the medications when he passed.

7. On or about November 17, 2005, on his Investigative Questionnaire, Respondent explained that "p.o." stood for "personal order," which signified the physician allowed him the discretion to order things for patients. Respondent wrote his intent was to ensure honesty in his documentation.

8. On September 20, 2007, the Board voted and ordered Respondent's privilege to practice nursing in Arizona under the Compact rules and statutes revoked. The Board further ordered Respondent to cease and desist the practice of nursing in Arizona.

CONCLUSIONS OF LAW

1. Pursuant to A.R.S. §§ 32-1606, 32-1664 and 32-1668, the Board has subject matter and personal jurisdiction in this matter.

2. The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-1601(16)(d) and (j) and A.A.C. R4-19-403(1), (5), (6), (9) and (25).

3. The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. § 32-1668 to take disciplinary action against Respondent's privilege to practice as a professional nurse in the State of Arizona.

Now, therefore,

Respondent admits the Board's Findings of Fact.

Respondent agrees to surrender his privilege, pursuant to the Compact, to practice as a professional nurse in the State of Arizona, and to cease and desist the practice of nursing in the State

of Arizona, until the conclusion of the disciplinary action now pending against Respondent's license before the Texas Board of Nursing regarding the Complaint.

Respondent understands that he has an opportunity to request a hearing and declines to do so. Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal, or judicial review of this Order. The parties agree that Respondent retains all rights, including the right to appeal, related to any subsequent Board action regarding his privilege to practice nursing.

Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

Respondent understands that the admissions in the Findings of Fact are conclusive and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into this agreement and such consultation has either been obtained or is waived.

Respondent understands that this voluntary surrender of the privilege to practice nursing in Arizona pursuant to the Compact is effective upon its acceptance by the Executive Director or the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the agreement cannot be withdrawn without the Executive Director or the Board's approval or by stipulation between Respondent and the Executive Director or the Board. The effective date of this Order is the date it is signed by the Executive Director or the Board and by Respondent. If the Order is signed on a different date, the later date is the effective date.

Respondent understands that a voluntary surrender of the privilege to practice nursing in Arizona pursuant to the Compact constitutes disciplinary action in Arizona. Respondent also

understands that he may not reapply for reinstatement of the privilege to practice nursing in Arizona pursuant to the Compact until after the conclusion of the disciplinary action now pending against his nursing license before the Texas Board of Nursing. Respondent may, however, apply to have his privilege to practice nursing in Arizona pursuant to the Compact, or otherwise, reinstated anytime after the conclusion of the disciplinary action now pending against his nursing license before the Texas Board of Nursing.

If Respondent applies for reinstatement, the application for reinstatement must be in writing and shall contain therein or have attached thereto substantial evidence that Respondent has met the terms of any stipulation or agreement entered into with, order issued by, or other requirement or limitation imposed by the Texas Board of Nursing, and that the reinstatement of the privilege does not constitute a threat to the public's health, safety and welfare. The Board may require physical, psychological, or psychiatric evaluations, reports and affidavits regarding Respondent as it deems necessary. These conditions shall be met before the application for reinstatement is considered.


Respondent
Date: 02/08/2008 

ARIZONA STATE BOARD OF NURSING


Joey Kdenour, R.N., M.N., F.A.A.N.
Executive Director
Dated: 2/13/08

SEAL

Barber/Martinez Anthony

ORDER

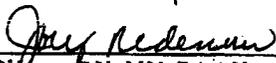
Now, therefore, with Respondent's consent, and pursuant to A.R.S. § 32-1668, the Board hereby accepts the voluntary surrender of Respondent's privilege to practice nursing in Arizona under multistate license number 652063 (RN) issued by Texas. This Order hereby entered shall be filed with the Board and shall be made public upon the effective date of this agreement. Respondent shall not practice in Arizona under the privilege of a multistate license issued by any other state until the terms set forth above have been met.

IT IS FURTHER ORDERED that Respondent may apply for reinstatement of the privilege to practice nursing in Arizona pursuant to the Compact, or otherwise, anytime after the conclusion of the disciplinary action now pending against his nursing license before the Texas Board of Nursing.

IT IS FURTHER ORDERED RESCINDING the Board's previous Order to Revoke, issued September 20, 2007.

ARIZONA STATE BOARD OF NURSING

SEAL


Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: 2/13/08

COPIES mailed this 13th day of ~~January~~ ^{Feb.} 2008, by First Class Mail to:

Anthony Martinez
1275 Glenoak Drive
Corpus Christi TX 78418

///
///



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Scott A. Shuman
Snell & Wilmer L.L.P.
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Kim E. Zack
Assistant Attorney General
1275 W. Washington Avenue
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By: Justin Baker - MSN, RN
Nurse Consultant, Hearing Dept.

CB

Anthony G. Martinez Jr.
Reg. #64409-279
Federal Prison Camp (TILDEN)
P.O. Box 4200
Three Rivers, Texas 78071

Board of Nurse Examiners
for The State of Texas
Katherine A. Thomas, MN. RN.
Executive Director
333 Guadalupe, Suite 3-460
Austin, Texas 78701

March 28, 2011

RE: RN License #652063

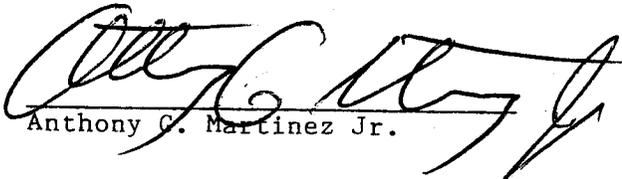
Dear Mrs. Thomas,

I am requesting that you, and the Texas Board of Nursing accept the voluntary surrender of my Texas RN Nursing license #652063. I was convicted of a felony by a federal district court. My conviction became final on January 06, 2011. My conviction had nothing to do with my nursing practice or with patient care. Infact, I was convicted of possession of an unregistered automatic rifle. I wish to voluntarily surrender my license although I continue to dispute my conviction. Please accept the surrender of my nursing license and forward any correspondence to the above listed address.

I am currently incarcerated in a federal prison camp (Minimum Security) with community custody, as the Camp Driver. Although my means of communications are considerably limited, I have every intention and desire to cooperate fully with the Board of Nursing; therefore, please feel free to contact me via United States mail.

Thank you very much in advance for your time and consideration in this delicate matter. I look forward to our future correspondence.

Sincerely yours,


Anthony G. Martinez Jr.