BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 465576	§	
issued to PURITA A. VILLENA-ASILADOR	§	ORDER

TEXAS BOARD OF NURSING
I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Executive Director of the Board

An investigation by the Texas Board of Nursing, hereinafter referred to as the Bo produced evidence indicating that PURITA A. VILLENA-ASILADOR, hereinafter referred t Respondent, Registered Nurse License Number 465576, may have violated Section 301.452(b)(10) &(13), Texas Occupations Code.

An informal conference was held on October 12, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Taralynn Mackay, Attorney at Law. In attendance were Bonnie Cone, MSN, RN, Nurse Consultant, Executive Director's Designee; Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Cynthia A. Smith, Supervising Investigator.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).

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

3. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent received a Diploma in Nursing from Pines City Educational Center School of Nursing, Midwifery, and Health Aide, Baguio City, Phillippines on March 12, 1977 and a Bachelor of Science in Nursing from the University of Pangasinan, Dagupan City, Philippines in March 1980. Respondent was licensed to practice professional nursing in the State of Texas on September 10, 1982.

5. Respondent's nursing employment history includes:

5/1977 - 11/1977	Supervising Nurse	The Kipping Clinic Camiling, Tarlac, Phillippines
12/1977 - 12/1977	Unknown	Unknown
1/1978 - 11/1981	Supervising Nurse	The Kipping Clinic Camiling, Tarlac, Phillippines
12/1981 - 12/1982	Unknown	Unknown
1/1983 - 7/1985	Registered Nurse	Doctors Hospital Laredo, Texas
8/1985	Unknown	Unknown
9/1985 - 10/1985	Registered Nurse	St. Joseph Hospital Centre Toronto, Ontario
10/1985 - 11/1988	Registered Nurse	Northwestern General Hospital Toronto, Ontario
1986-1987	Registered Nurse (part-time)	Baycrest Hospital Toronto, Ontario
11/1988-9/1989	Registered Nurse	Northwestern General Hospital Toronto, Ontario
9/1988 - 6/1991	Assistant Charge Nurse	Baycrest Centre for Geriatric Care Toronto, Ontario
1/1989 - 9/1990	Charge Nurse (part-time)	Maple Nursing Home Toronto, Ontario
8/1990 - 12/1994	Unknown	Unknown
1/1995 - 10/1995	ADON	La Vida Serena Nursing Home Del Rio, Texas
10/1995 - 5/2008	Charge Nurse	Val Verde Memorial Hospital Del Rio, Texas

Respondent's nursing employment history continued includes:

6/2008 - Present	Unknown	Unknown

6. At the time of the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent was employed as a Charge Nurse with Val Verde Memorial Hospital, Del Rio, Texas, and had been in this position for twelve (12) years and seven (7) months.

7. On or about April 17, 2008, while employed with Val Verde Regional Medical Center, Del Rio, Texas, Respondent, upon notification that Patient MR# 275658's foley catheter had been removed in error, unsuccessfully attempted to re-insert the foley catheter without a physician's order. Consequently, Patient MR# 275658, a postoperative urology patient, had to undergo a cystoscopy, urethral stricture dilation, and re-insertion of a catheter. Respondent's conduct may have caused harm to the patient who had to endure the pain and recovery from an additional surgical procedure.

8. On or about April 17, 2008, while employed with Val Verde Regional Medical Center, Del Rio, Texas, Respondent failed to timely notify the physician that the foley catheter in Patient MR#275658 had been removed in error. Respondent's conduct deprived the patient of timely medical intervention, which may have prevented the patient from undergoing an additional surgical procedure to re-insert the catheter.

9. On or about April 17, 2008, while employed with Val Verde Regional Medical Center, Del Rio, Texas, Respondent failed to document that she unsuccessfully attempted to re-insert the foley catheter into Patient MR# 275658 or that Respondent notified the physician. Respondent's conduct created an incomplete medical record on which subsequent caregivers would rely on to provide ongoing medical care.

10. Respondent states that the foley catheter was removed by the primary nurse without an order and without her knowledge. Respondent admits that it would have been prudent to contact the physician prior to attempting to re-insert the catheter. Respondent also admits that she did not document her actions, but states she saw that the procedure had been documented in the patient's chart by the primary nurse and had always understood that as long as the information is documented and it is clear who did what, then that documentation was adequate and appropriate. Respondent agrees that she should have made an entry regarding her conversation with the physician because of the unusual nature of the incident.

11. Shamoon Doctor, MD, provided a letter to the Board stating that Respondent's attempt at reinsertion of the foley catheter and the wait of 4 ½ hours was acceptable to him.

12. On January 8, 2011, Respondent completed a course entitled "Nursing Documentation: Just the Facts" and a course entitled "Critical Thinking", which would have been a requirement of this Order.

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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(B),(D),(M)&(P) and §217.12(1)(B),(C)&(4).

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 465576, heretofore issued to PURITA A. VILLENA-ASILADOR, including revocation of Respondent's license to practice 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, 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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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, 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) 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.*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A 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:

(2) 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.

(3) 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.

(4) 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.

(5) 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) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 20th day of January, 2011.

Purita Villena-Asilador

PURITA A. VILLENA-ASILADOR, Respondent

Sworn to and subscribed before me this 20 day of January, 2011.

SEAL

Venessa L Davila

Notary Public in and for the State of TX

VENESSA L DAVILA
My Commission Expires
April 21, 2014

Approved as to form and substance.

Taralynn R. MacKay

Taralynn MacKay, Attorney for Respondent

Signed this 28th day of January, 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the _20th_day of January, 2011, by PURITA A. VILLENA-ASILADOR, Registered Nurse License Number 465576, and said Order is final.

Effective this 8th day of March, 2011.

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