

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. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse
License Number 694042
issued to APRIL DAWN AZEVEDO

§
§
§

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 694042, issued to APRIL DAWN AZEVEDO, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived informal proceedings, notice and hearing.
3. Respondent received a Baccalaureate Degree in Nursing from New Mexico State University, Las Cruces, New Mexico on December 1, 2002. Respondent became licensed to practice professional nursing in the State of Texas on February 26, 2003.
4. Respondent's nursing employment history includes:

2/03 - 3/06	Staff Nurse	Del Sol Medical Center El Paso, Texas
04/06-08/06	Staff RN/Charge Nurse	Rehab Southern New Mexico Las Cruces, NM
09/06-12/06	Staff RN	Mountain View RMC Las Cruces, NM

Respondent's nursing employment history continued includes:

03/07-10/07	Staff RN	Memorial Medical Las Cruces, NM
10/07 - 1/09	Staff RN	St. Jude International Cancer Associates El Paso, Texas
2/09 - present	Unknown	

5. On September 12, 2006, Respondent's license to practice professional nursing in the State of Texas and the Multi-State Privilege associated with New Mexico License Number R51951, was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the September 12, 2006, Agreed Order, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
6. On or about October 18, 2007, Respondent's license to practice professional nursing in the State of New Mexico was Revoked by Default by the Board of Nursing for the State of New Mexico, Albuquerque, New Mexico, based on Findings that Respondent failed to respond to a Notice of Contemplated Action, based on a complaint alleging drug diversion and chemical dependency issues. A copy of the Default Order dated October 18, 2007, is attached and incorporated, by reference, as part of this pleading.
7. Between the dates of October 18, 2007 and November 7, 2007, while employed as a Clinical Supervisor with St. Jude International Cancer Associates, PA, El Paso, Texas, Respondent deceived her employer by portraying herself as a Registered Nurse. Respondent's license to practice professional nursing in the State of Texas was Suspended from October 18, 2007 through November 7, 2007. Respondent's conduct was likely to deceive her employer and could have affected their decision to employ her.
8. On or about June 27, 2008, Respondent submitted a License Renewal Form (Inactive Status) to the Texas Board of Nursing, in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the question:

"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 nursing license, certificate, or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded, or otherwise disciplined you? (You may exclude disciplinary actions previously disclosed to the Texas Board of Nursing on an initial or renewal licensure application.)"

On or about October 18, 2007, Respondent's license to practice professional nursing in the State of New Mexico was Revoked by Default by the Board of Nursing for the State of New Mexico, Albuquerque, New Mexico. Respondent's conduct was likely to deceive the Board and could have affected the decision to issue a license.

9. On or about June 27, 2008, Respondent submitted a License Renewal Form (Inactive Status) to the Texas Board of Nursing, in which she provided false, deceptive, and/or misleading information, in that she indicated that the last month and year that she practiced as a Registered Nurse was March 2006, which is not true. Respondent's conduct was likely to deceive the Board and could have affected the decision to issue a license.
10. On October 24, 2009, Respondent underwent a forensic psychological evaluation with a chemical dependency component conducted by Matthew L. Ferrara, Ph.D. Dr. Ferrar utilized three measures of response reliability to determine honesty and reliability of Respondent's answers during the assessment process, which included the Minnesota Multiphasic Assessment Inventory-2 (MMPI-2), Substance Abuse Subtle Screening Inventory - III (SASSI-III) and polygraph examination. Respondent showed signs of deception on all three objective measures of deception, which appeared that Respondent approached the examination process with the bias of not being open and honest. Dr. Ferrar opines that Respondent should not retain her license because she would have difficulties conforming her behavior to the Nursing Practice Act, Board rules and regulations and generally accepted standards of nursing practice. Additionally, Dr. Ferrar opines that if Respondent returns to nursing practice, she should complete a substance abuse treatment program and participate in random drug/alcohol screens for a period of time for the purpose of ensuring that she is not engaging in a pattern of substance abuse.
11. Formal Charges were filed on February 23, 2009.
12. Formal Charges were mailed to Respondent on February 26, 2009.
13. On June 3, 2010, Respondent submitted a statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of Respondent's statement, dated June 3, 2010, is attached and incorporated herein by reference as part 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)(2),(10)&(13) Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(C),(1)(D)&(1)(N) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(C),(4),(6)(A),(G), (H) & (I), (10)(E), & (11)(B).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

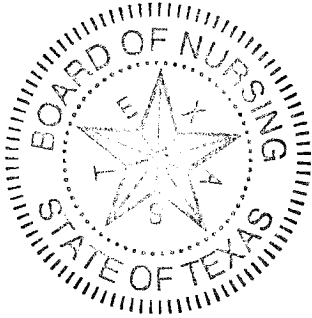
NOW, THEREFORE, IT IS ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 694042, heretofore issued to APRIL DAWN AZEVEDO, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation RN or wear any insignia identifying herself 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 professional nursing in the State of Texas.

Effective this 4th day of June, 2010.

TEXAS BOARD OF NURSING



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

April Dawn Azevedo
5804 Kingsfield
El Paso, Texas 79912
Texas RN License #694042

Voluntary Surrender Statement

REGISTERED NURSE
TEXAS BOARD OF NURSING
 333 Guadalupe #3-460, Austin, Texas 78701

A CERTIFICATE OF RE-REGISTRATION TO PRACTICE PROFESSIONAL NURSING ISSUED BY THE TEXAS BOARD OF NURSING TO

RN LIC. NO. **694042** **VALID ONLY IN TEXAS** EXPIRES LAST DAY OF:
CODED LIC: 01 **AUG 2010**

APRIL DAWN AZEVEDO

Nathaniel A. Purnan *April Dawn Azevedo*
 EXECUTIVE DIRECTOR RN SIGNATURE REQUIRED

June 2, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature *April Dawn Azevedo*

Date 6.3.10

Texas Nursing License Number/s 694042

The State of Texas

Before me, the undersigned authority, on this date personally appeared APRIL DAWN AZEVEDO who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Multi-State Privilege Associated	§	AGREED
with Permanent New Mexico License	§	
Number R51951, Issued to	§	
APRIL DAWN AZEVEDO, Respondent and	§	
Texas Permanent License Number 694042 issued	§	
to APRIL DAWN AZEVEDO	§	ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that APRIL DAWN AZEVEDO, hereinafter referred to as RESPONDENT may have violated Section 301.452(b)(10) & (13), Texas Occupations Code. Respondent is a Registered Nurse in the State of New Mexico, a member of the Nurse Licensure Compact, holding license number R51951, which is in Active status, and holds Texas Permanent License Number 694042, which is Multi State Regulation (MSR) Invalid status.

An informal conference was held on June 7, 2006, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Courtney Newton, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Skylar Caddell, RN, Lead Investigator; Kevin Freemyer, Investigator; 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.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent holds a home state license to practice professional nursing in the State of New Mexico which is in current status with no encumbrances.
4. Respondent received a Baccalaureate in Nursing from New Mexico State University, Las Cruces, New Mexico on December 1, 2002. Respondent became licensed in the State of New Mexico on March 10, 2004.
5. Respondent's professional employment history includes:

2/03 - 3/06	Staff Nurse	Del Sol Medical Center El Paso, Texas
4/06 - present	Staff Nurse	Rehabilitation Hospital of Southern New Mexico Las Cruces, New Mexico
6. At the time of the incidents in Findings of Fact Number Seven (7) and Eight (8), Respondent was employed as a Staff Nurse in the Cardiac Intensive Care Unit with Del Sol Medical Center, El Paso, Texas, and had been in this position for three (3) years and one (1) month.
7. On or about March 11, 2006, while working on a multi state compact privilege associated with her license to practice professional nursing in the State of New Mexico, and employed with Del Sol Medical Center, El Paso, Texas, Respondent failed to administer medications in a responsible manner in that she administered 10 mg Norcuron (a paralytic) to non-intubated Patient Number V84592487 for "shivering," despite protests by other staff nurses, and without a valid physician's order. Within seconds of the administration of the Norcuron, Patient Number V84592487 began to experience symptoms of respiratory and cardiac arrest and subsequently expired. Respondent's conduct may have resulted in the patient's death. Respondent denies that the medication was administered for "shivering" and that it was given despite protests from other staff nurses.

8. On or about March 11, 2006, while working on a multi state compact privilege associated with her license to practice professional nursing in the State of New Mexico, and employed with Del Sol Medical Center, El Paso, Texas, Respondent completely re-wrote the original "C.P.R." record for Patient Number V84592487, which contained documentation of resuscitation attempts for Patient Number V84592487. Furthermore, Respondent inaccurately documented the time the code was initiated, falsely documented a physician's order for Norcuron for intubation and then threw the original "C.P.R." record in the "HIPAA bin" to be destroyed. Respondent's conduct resulted in an inaccurate "C.P.R." record which subsequent caregivers would rely to base their on-going medical care. Respondent denies placing the original CPR record in the "HIPPA bin" and asserts that she left both code sheets at the nurses' desk.
9. Charges were filed on April 25, 2006.
10. Charges were mailed to Respondent on April 25, 2006.

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 a violation of Section 301.452(b)(10) & (13) Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(C),(D) & (N) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(C), & (4), (6)(A)&(H), .
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Multi State Compact Privilege associated with Permanent New Mexico License Number R51951 and Texas Permanent License Number 694042, heretofore issued to APRIL DAWN AZEVEDO, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that Multi State Compact Privilege associated with Permanent New Mexico License Number R51951 and Texas Permanent License Number 694042, previously issued to APRIL DAWN AZEVEDO, to practice professional nursing in Texas is hereby SUSPENDED and said suspension is enforced until Respondent complies with the following stipulations:

- (1) RESPONDENT SHALL successfully complete a course in Texas nursing

jurisprudence. 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, and documentation of care. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(2) RESPONDENT SHALL 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) RESPONDENT SHALL 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) RESPONDENT SHALL successfully complete a course in pharmacology. 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 course and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. The six (6) hours may not be configured to include homework assignments. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on: all of the major drug classifications and their physiological and therapeutic effects; dosages and administration; precautions; contraindications; and nursing implications. Courses focusing on only one (1) or two (2) groups of drugs, or relating to only one (1) clinical area of practice, will not be accepted. 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 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(5) RESPONDENT SHALL successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the

course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, upon verification of successful completion of the on the conditions outlined in Stipulations Numbers One (1) through Five (5), the Suspension will be stayed, and RESPONDENT will be placed on probation for two (2) years with the following agreed terms of probation:

(6) 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.

(7) RESPONDENT SHALL be issued a multi state compact privilege to practice professional nursing in the State of Texas with the appropriate notation.

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 PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) 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 PROBATIONARY PERIOD:

(8) RESPONDENT SHALL notify all future employers in professional nursing of this Order of the Board and the probation conditions 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.

(9) RESPONDENT SHALL CAUSE each present employer in professional 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 professional nurse.

(10) For the first year of employment as a Registered Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as RESPONDENT and readily available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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.

(11) For the duration of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising RN 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 RN 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.

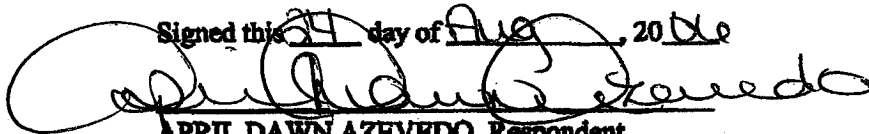
(12) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for two (2) years of employment as a professional nurse.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's Multi State Compact Privilege or license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

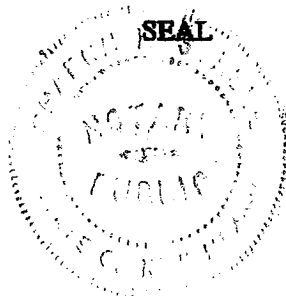
IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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 multi state compact privilege and license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 29 day of Aug, 2006

APRIL DAWN AZEVEDO, Respondent

Sworn to and subscribed before me this 29 day of Aug, 2006.



Sharon L. Strohm

Notary Public in and for the State of NEW MEXICO


Approved as to form and substance.

Courtney Newton
Courtney Newton, Attorney for Respondent

Signed this 29th day of August, 2006

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 24th day of August, 2006 _____, by APRIL DAWN AZEVEDO, Multi State Compact Privilege and License Number 694042, and said Order is final.

Effective this 12th day of September, 2006 _____.


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

**BEFORE THE BOARD OF NURSING
FOR THE STATE OF NEW MEXICO**

**IN THE MATTER OF:
APRIL AZEVEDO
LICENSE NO. R51951**

Respondent.

SETTLEMENT AGREEMENT

WHEREAS, Respondent wishes to resolve this matter pending before the New Mexico Board of Nursing ("the Board") without the need for a formal hearing and the time and expense involved with such a hearing:

WHEREAS, the Board adopts the Findings of Fact and Conclusions of Law contained in the Order of the Board of Nurse Examiners for the State of Texas, which became effective September 12, 2006, herein incorporated by reference and attached to this Settlement Agreement as Attachment #1.

IT IS AGREED AS FOLLOWS:

1. Respondent holds a home state license to practice professional nursing in the State of New Mexico and is subject to the jurisdiction of the Board.
2. Respondent enters into this Settlement Agreement voluntarily and waives the right to a full hearing on the merits as provided for in the Uniform Licensing Act, NMSA 1978, § 61-1-1 through § 61-1-34.
3. Respondent agrees to waive any and all time limitations set forth by statute, particularly the Uniform Licensing Act in setting an Administrative Hearing for this case, if necessary.
4. This Settlement Agreement is subject to approval by the Board. If the Board rejects the Settlement Agreement, this matter will be set for a hearing on the merits at a time, date and place to be determined by the Board. The Respondent waives all rights to have this matter heard within the time frame set by the Uniform Licensing Act in order for the Board to have time to review this Settlement Agreement and to set a hearing if

necessary. If the Board rejects the Settlement Agreement, the terms of this Agreement and any statements made in support of the Agreement by Respondent shall not be used against Respondent at any future hearing.

5. The Board in accepting this Settlement Agreement adopts the disciplinary action imposed upon the Respondent, which is contained in the Order of the Board of Nurse Examiners for the State of Texas, (hereinafter "Texas Order") herein incorporated by reference and attached to this Settlement Agreement as Attachment #1. The disciplinary action imposed upon the Respondent through the Board's adoption of the Texas Order would pertain to Respondent's home state license number R51951.

6. If the Board accepts this Settlement Agreement, Respondent agrees to the following actions:

- (A) Respondent agrees that until she submits to the Executive Director of the Board proof of completion of the required courses outlined in the Texas Order her home state license number R51951 will be suspended. Once such proof is submitted the suspension will be stayed, and the Respondent will be placed on probation for two years.
- (B) In addition to the courses outlined in the Texas Order, the Respondent agrees to attend and successfully complete a class in New Mexico jurisprudence, in particular a course in the Nurse Practice Act within twelve (12) months of the date this Agreement is signed by all parties. The Executive Director of the Board must approve the course before such course is taken, and the Respondent must submit proof of completion of the course to the Executive Director of the Board once the course is completed.
- (C) Respondent agrees that any courses completed pursuant to this Settlement Agreement shall not count toward Respondent's continuing education requirements for licensure.
- (D) Respondent agrees that pursuant to this Settlement Agreement, the same probationary terms and

conditions outlined in the Texas Order for Respondent's practice of nursing in the State of Texas shall apply to Respondent's practice of nursing in the State of New Mexico.

(E) Respondent agrees that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's home state license number R51951, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

(F) Respondent agrees to comply in all respects with the Board's statutes, rules or regulations during this probationary period.


(G) This Agreement becomes effective after the Respondent receives a copy of this Agreement via Certified Mail or after final delivery is attempted via certified mail, whichever comes first.

(H) If the Respondent complies with all the terms of this Settlement Agreement, this matter is concluded and resolved.

(I) If the Respondent does not comply with all of the terms of this Agreement, this case will be set for hearing in accordance with the Uniform Licensing Act, and ~~additional costs and fees not to exceed \$5000 may be assessed against the Respondent~~

(J) This Order shall be applicable to applicant's/licensee's multi-state licensure privilege, if any, to practice professional nursing in the State of New Mexico. While applicant's/licensee's license is encumbered by this Order, the applicant/licensee may not work outside the State of New Mexico pursuant to a multi-state licensure privilege without the written permission of the State of New Mexico and the Board of Nursing in the party state where the applicant/licensee wishes to work.

4.17.07^{aa}
Date


Respondent

4/20/07
Date

Francis A. Choy
Assistant Attorney General

ORDER

This matter comes before the Board upon the Settlement Agreement of the parties and with a quorum present and a majority voting in favor, this Settlement Agreement is:

Accepted

Rejected

4-20-2007
Date

[Signature]
Acting Chairperson,
Board of Nursing

CERTIFIED MAIL NO: 70053110000280743275 - Azevedo
RETURN RECEIPT REQUESTED

70053110000280743282 - Estrada, Attorney

BEFORE THE BOARD OF NURSING
FOR THE STATE OF NEW MEXICO

IN THE MATTER OF:
April Azevedo
LICENSE NO.: R51951

Respondent

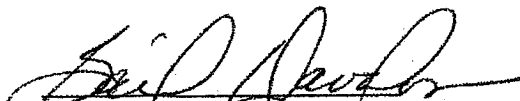
DEFAULT ORDER

THIS MATTER having come before the Board of Nursing ("BON") on Wednesday, October 17, 2007 the BON finds the following:

1. A Notice of Contemplated Action was served on the respondent in accordance with the Uniform Licensing Act, N.M.S.A. §61-1-1 et seq.
2. The respondent has not mailed a request for hearing within the time and in the manner required by N.M.S.A. §61-1-4 and is therefore in default.

IT IS THEREFORE ORDERED THAT: the license of April Azevedo, R51951, is hereby revoked by default.

DATE: 10-18-07


GAIL DAVALOS, CHAIRPERSON
NEW MEXICO BOARD OF NURSING

CERTIFIED MAIL NO: 7006345000051641356
RETURN RECEIPT REQUESTED

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