



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 Roman*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of Vocational Nurse  
License Number 133975  
issued to RAMON ENRIQUE LOPEZ

§  
§  
§

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 133975, issued to RAMON ENRIQUE LOPEZ, 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.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Howard College, Del Rio, Texas on August 1, 1991. Respondent was licensed to practice vocational nursing in the State of Texas on December 3, 1991.
4. Respondent's vocational nursing employment history is unknown.
5. Formal Charges were filed on March 25, 2010 . A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
6. Formal Charges were mailed to Respondent on March 30, 2010.

7. On April 14, 2010, Respondent submitted a statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas. A copy of Respondent's statement, dated April 11, 2010, is attached and incorporated herein by reference as part of this Order.
8. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
9. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

#### 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)(A),(B)&(D). and §217.12(1)(A),(1)(B),(1)(C),(4),(6)(G),(8),(10)(C)&(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.

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ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 133975, heretofore issued to RAMON ENRIQUE LOPEZ, to practice vocational 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 immediately deliver the wallet-size license, heretofore issued to RAMON ENRIQUE LOPEZ, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice vocational nursing, use the title of vocational nurse or the abbreviation "LVN" or wear any insignia identifying himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
4. 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 vocational nursing in the State of Texas.

Effective this 14th day of April, 2010.

TEXAS BOARD OF NURSING

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

To whom it may concern,

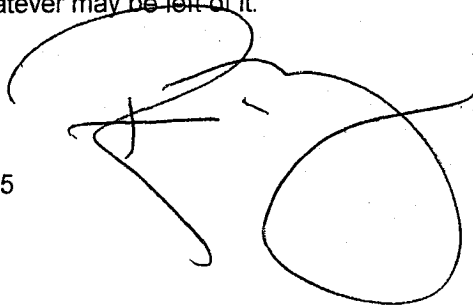
Recieved your last letter i was shocked at your accusations.I do not have the money for a lawyer much less a fine.i guess since you are not a legal court of law you can do pretty much do what ever you wish.With regards to my previous explanations i do accept your authority over me with regards to my licncsure.I plead guilty as accused however i did not at any time endanger any patient nor did i ever not relieve a patients pain when the patient complained .It matters not whether you believe me or not i have to stand before god one day and i do fear his judgement.I have not worked as a nurse for several months because i feared this day was upon me.My reasons and explanations i have only god to share with and i live now each day only buy his mercy and grace.I had lost everything around me i have no job and no money i am slowly getting back on my feet .Should you feel i owe some sort of fine i am afraid youll have to wait until i have paid every other debt which i now have and unfortunately that is not negotiable by any means.

So at this time with much regret and shame i feel not worthy to call myself a nurse. therefore i surrender my LVN licence forever.

If you feel i am also a criminal and should face criminal charges i will not defend myself even with legal aid i will surrender to local authorities.At some point i just want to move on with my life and hope for a better life for whatever may be left of it.

Ramon E Lopez lic# 133975

4-11-10

A handwritten signature in black ink, appearing to be 'Ramon E Lopez', written over a large, faint circular stamp or watermark.

In the Matter of Permanent License  
 Number 133975, Issued to  
 RAMON ENRIQUE LOPEZ, Respondent

§ BEFORE THE TEXAS  
 §  
 § BOARD OF NURSING

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, RAMON ENRIQUE LOPEZ, is a Vocational Nurse holding license number 133975, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

**CHARGE I.**

On or about September 10, 2007, through September 29, 2007, while employed with Fort Duncan Regional Medical Center, Eagle Pass, Texas, Respondent withdrew controlled substances from the Pyxis Medication Dispensing System for patients, but failed to completely and accurately document the administration of the medication in the patients' Medication Administration Records (MARs) and/or Nurses Notes as follows:

Date/Time	Patient	Medication Withdrawn by Resp.	Physician's Order	MAR	Nurses Notes	Wastage
9/10/07 17:59	JB 301017	Meperidine (Demerol) 50mg	Demerol 50mg Q 4 hrs PRN	None	None	None
9/12/07 10:15	ES 135443	Meperidine (Demerol) 25mg	Demerol 25mg IV Q 4hrs PRN	0900	None	None
9/12/07 11:56	JB 301017	Meperidine (Demerol) 50mg	Demerol 50mg Q 4 hrs PRN	None	12:00-0/10 pain by MA	None
9/12/07 19:16	RB 306206	Meperidine (Demerol) 25mg	Demerol 25mg Q 4-6hrs PRN	1830	1807- 0/10 pain by Resp.	None
9/13/07 13:29	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	1530	None	None
9/13/07 16:59	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	None	None
9/15/07 13:12	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	None	None
9/15/07 15:39	RB 306206	Meperidine (Demerol) 25mg	Demerol 25mg @ Q 4hrs PRN	None	1534- 0/10 pain by Resp	None

9/15/07 19:00	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	None	None
9/16/07 09:49	RB 306206	Meperidine (Demerol) 25mg	Demerol 25mg @ Q 4hrs PRN	0900	None	None
9/16/07 10:42	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	9:49- 0/10 Pain by Resp	None
9/16/07 13:19	RP 329355	(1) Lortab 5/500	Lortab 5/500 Q 4hrs PRN (1) Tab	None	1245- 0/10 Pain by Resp	None
9/16/07 13:53	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	None	None
9/20/07 11:58	ReB 167267	Meperidine (Demerol) 25mg	Demerol 25mg PRN	None	None	None
9/22/07 08:31	RR 137059	Meperidine (Demerol) 50mg	Demerol 50mg Q 3hrs PRN	None	None	None
9/22/07 15:49	RR 137059	Meperidine (Demerol) 50mg	Demerol 50mg Q 3hrs PRN	None	None	None
9/22/07 11:12	AR 329462	Meperidine (Demerol) 50mg	Demerol 25-50mg Q 3- 4hrs PRN	None	None	None
9/22/07 14:32	AR 329462	Meperidine (Demerol) 50mg	Demerol 25-50mg Q 3- 4hrs PRN	None	None	None
9/25/07 11:31	BL 139945	Meperidine (Demerol) 25mg	Demerol 25mg Q 6hrs PRN	None	11:21- 0/10 Pain by Resp	None
9/25/07 16:06	BL 139945	Meperidine (Demerol) 25mg	Demerol 25mg Q 6hrs PRN	None	16:54- 0/10 Pain by Resp	None
9/25/07 17:31	GE 140130	Meperidine (Demerol) 50mg	Demerol 25mg Q 6hrs PRN	None	17:57- 0/10 Pain by Resp	25mg 18:43
9/26/09 07:38	BL 139945	Meperidine (Demerol) 50mg	Demerol 25mg Q 6hrs PRN	None	None	None
9/26/07 12:30	JA 188875	Meperidine (Demerol) 50mg	None	None	None	None
9/26/07 15:17	BL 139945	Meperidine (Demerol) 50mg	Demerol 25mg Q 6hrs PRN	None	15:22- 0/10 Pain by Resp	None
9/26/07 18:20	JA 188875	Stadol 1mg	Stadol .5mg Q 6hrs PRN	None	None	None
9/29/07 09:16	AE 147412	Meperidine (Demerol) 50mg	Demerol 50mg Q 6hrs	None	None	None

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

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

### CHARGE II.

On or about September 10, 2007, through September 29, 2007, while employed with Fort Duncan Regional Medical Center, Eagle Pass, Texas, Respondent withdrew controlled substances from the Pyxis Medication Dispensing System for patients, but failed to follow the policy and procedure for the wastage of the medication as follows:

Date/Time	Patient	Medication Withdrawn by Resp.	Physician's Order	MAR	Nurses Notes	Wastage
9/10/07 17:59	JB 301017	Meperidine (Demerol) 50mg	Demerol 50mg Q 4 hrs PRN	None	None	None
9/12/07 11:56	JB 301017	Meperidine (Demerol) 50mg	Demerol 50mg Q 4 hrs PRN	None	12:00-0/10 pain by MA	None
9/13/07 16:59	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	None	None
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9/15/07 15:39	RB 306206	Meperidine (Demerol) 25mg	Demerol 25mg @ Q 4hrs PRN	None	1534- 0/10 pain by Resp	None
9/15/07 19:00	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	None	None
9/16/07 10:42	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	9:49- 0/10 Pain by Resp	None
9/16/07 13:19	RP 329355	(1) Lortab 5/500	Lortab 5/500 Q 4hrs PRN (1) Tab	None	1245- 0/10 Pain by Resp	None
9/16/07 13:53	RP 329355	Meperidine (Demerol) 25mg	Demerol 25mg IVP Q 2- 3hrs PRN	None	None	None
9/20/07 11:58	ReB 167267	Meperidine (Demerol) 25mg	Demerol 25mg PRN	None	None	None
9/22/07 08:31	RR 137059	Meperidine (Demerol) 50mg	Demerol 50mg Q 3hrs PRN	None	None	None

Date/ Time	Patient	Medication Withdrawn by Resp.	Physician's Order	MAR	Nurses Notes	Wastage
9/22/07 15:49	RR 137059	Meperidine (Demerol) 50mg	Demerol 50mg Q 3hrs PRN	None	None	None
9/22/07 11:12	AR 329462	Meperidine (Demerol) 50mg	Demerol 25-50mg Q 3- 4hrs PRN	None	None	None
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9/26/07 18:20	JA 188875	Stadol 1mg	Stadol .5mg Q 6hrs PRN	None	None	None
9/29/07 09:16	AE 147412	Meperidine (Demerol) 50mg	Demerol 50mg Q 6hrs	None	None	None

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

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

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### CHARGE III.

On or about September 7, 2007, through September 29, 2007, while employed with Fort Duncan Regional Medical Center, Eagle Pass, Texas, Respondent misappropriated Demerol belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(6)(G)&(8).

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NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the 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 § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

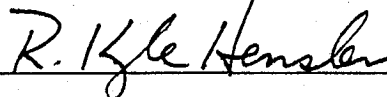
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.state.tx.us/disciplinaryaction/discp-matrix.html](http://www.bon.state.tx.us/disciplinaryaction/discp-matrix.html).

Filed this 25<sup>th</sup> day of March, 2010.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

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Jena Renee Koslan Abel, Assistant General Counsel

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