

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 592778  
ISSUED TO  
NANCY PINO

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§

BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE 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.  
*Patricia A. Roman*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: Nancy Pino  
6808 Esther NE  
Albuquerque, NM 87109

During open meeting held in Austin, Texas, on March 23, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

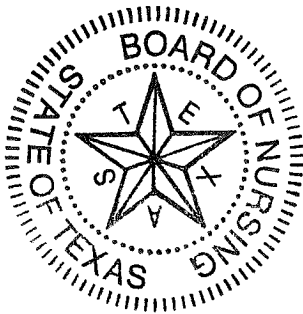
The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 592778, previously issued to NANCY PINO, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 592778, previously issued to NANCY PINO, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.



Entered this 23rd day of March, 2010.

TEXAS BOARD OF NURSING

BY:

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

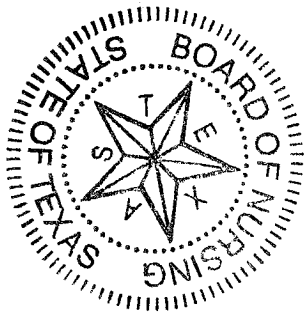
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 592778  
Issued to NANCY PINO  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 24<sup>th</sup> day of March, 2010, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Nancy Pino  
6808 Esther NE  
Albuquerque, NM 87109



BY: *Katherine A. Thomas*  
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

**In the Matter of Permanent License** § **BEFORE THE TEXAS**  
**Number 592778, Issued to** §  
**NANCY PINO, Respondent** § **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, NANCY PINO, is a Registered Nurse holding license number 592778, which is in "MSR Texas Invalid" 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 June 11, 2009, Respondent's license to practice professional nursing in the State of New Mexico was REVOKED by Default, by the Board of Nursing of the State of New Mexico, Albuquerque, New Mexico. A copy of the Default Order, dated June 11, 2009, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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, 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).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Orders which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Board of Nursing of the State of New Mexico Default Order dated June 11, 2009.

Filed this 21<sup>st</sup> day of December, 2009.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel  
State Bar No. 24036103

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

TEXAS BOARD OF NURSING  
333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-6824  
F: (512) 305-8101 or (512)305-7401

Attachments: Board of Nursing of the State of New Mexico Default Order dated June 11, 2009.

0999/D

BEFORE THE BOARD OF NURSING  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF: Nancy Pino-Casillas

LICENSE NO: R21194

Respondent.

I certify this to be a true copy of the  
records on file with the New Mexico  
Board of Nursing

Signed: CA

DEFAULT ORDER

THIS MATTER having come before the Board of Nursing ("BON")  
on Thursday, June 11, 2009, 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 did mail a request for hearing within the time and the manner required by N.M.S.A. §61-1-4.
3. A hearing was set in this matter for Thursday, June 11, 2009, and Respondent failed to appear at the hearing after proper notice of the hearing was issued by the BON; Respondent did notify the Board that due to issues with her grandsons she was unable to attend the hearing. This is the second time she asked for a continuance at the last minute.

IT IS THEREFORE ORDERED THAT the above licensed is revoked by default.

6/11/09  
DATE

Terril Fortner  
TERRI FORTNER, CHAIRPERSON  
NEW MEXICO BOARD OF NURSING



production of relevant books, papers, documents and other evidence upon making written request therefore to the board or hearing officer. The issuance of such subpoenas after the commencement of the hearing rests in the discretion of the board or the hearing officer. All notices issued pursuant to §61-1-4 NMSA 1978 shall contain a statement of these rights.

B. Upon written request to another party, any party is entitled to:

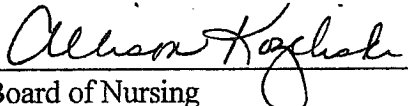
(1) obtain the names and addresses of witnesses who will or may be called by the other party to testify at the hearing; and

(2) inspect and copy any documents or items which the other party will or may introduce in evidence at the hearing.

The party to whom such a request is made shall comply with it within ten days after the mailing or delivery of the request. No request shall be made less than fifteen days before the hearing.

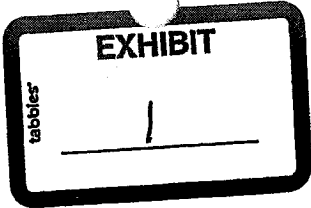
C. Any party may take depositions after service of notice in accordance with the Rules of Civil Procedure for the District Courts. Depositions may be used as in proceedings governed by those rules.

Date: 2/24/09

  
\_\_\_\_\_  
Board of Nursing  
Executive Director  
6301 Indian School rd., NE  
Suite 710  
Albuquerque, New Mexico 87110

CERTIFIED MAIL: 70081140 000425430425  
RETURN RECEIPT REQUESTED





STATE OF NEW MEXICO

(505) 841-8340



Board of Nursing

6301 Indian School NE, Room 710  
Albuquerque, NM 87110

RECEIVED

NOV 06 '03  
BOARD OF NURSING

(PLEASE PRINT OR TYPE INFORMATION)

IN THE MATTER OF THE COMPLAINT OF

Martin Lopez, MD, La Clinica de familia  
Names of Complainant and Institution

1100 S. Main STEA Las Cruces NM 89012  
Street Address City State Zip

Telephone Numbers: Office: 575 526 1105 Home: \_\_\_\_\_

Nancy Pino-Casillas AGAINST License or Certificate No: R21194  
Name of Nurse or Certificate Holder R592103

1545 Z. Armador Las Cruces NM 89001  
Street Address PO Box City State Zip Telephone

(Write a detailed statement, directly on this form, describing the facts related to the alleged violation(s) of the Nursing Practice Act and/or rules adopted by the Board. Attach copies of records, reports, letters, etc., relative to the alleged violation(s). Additional sheets may be attached if necessary. (USE TYPEWRITER IF POSSIBLE).)

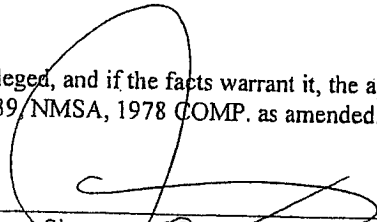
PLEASE HAVE THE FORM SIGNED AND DATED ON THE FOLLOWING PAGE.

Comes now the complaint in the above entitled matter alleges

See attached denial letter dated Nov 3, 2008

Wherefore complainant prays that an investigation be made as to the matter herein alleged, and if the facts warrant it, the appropriate action be initiated in accordance with the provisions of Section 61-3-1 through 61-3-39/NMSA, 1978 COMP. as amended.

Nov 3, 2008  
DATE

  
\_\_\_\_\_  
Signature of Complainant(s)  
(Please type or print name below)

Maxid Lopez Jr

# La Clinica de Familia, Inc.

OFFICE:  
1100 S. Main Street, Suite A  
Las Cruces, NM 88005

Bus. (505) 526-1105  
Fax (505) 524-4266

November 3, 2008

Nancy Pino  
1545 E. Amador  
Las Cruces, NM 88001

RECEIVED  
NOV 06 '08  
BOARD OF  
NURSING

RE: Letter of Withdrawal from Care

Dear Ms. Pino:

This letter will inform you that La Clinica de Familia will no longer be your health care provider because you attempted to alter a prescription written by Dr. Flores to obtain illegally more prescribed medication than what the prescription allowed.

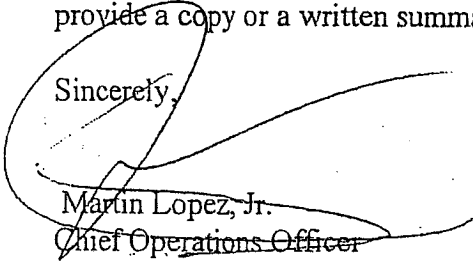
Additionally, we will be contacting the NM Board of Nursing to notify them of this letter.

We recommend that you promptly seek the care of another doctor. You may contact your health care plan representative or the Dona Ana County medical society at (phone number) for assistance in locating another physician. If you are unable to locate another doctor, please let me know and we will try to assist you.

Effective 15 days from the date you receive this letter, we will no longer be available to provide you with medical care. This period will give you ample time to find another doctor.

When you have selected another physician, we will, upon your written authorization, provide a copy or a written summary of your medical record to the new doctor.

Sincerely,

  
Martin Lopez, Jr.  
Chief Operations Officer

Certified mail with receipt on (date)  
LCDF Community & Migrant Health Centers: Mesilla\*San Miguel\*Anthony\*Sunland Park\*Chaparral\*Las Cruces  
LCDF Dental Centers: Anthony\*Las Cruces\*Sunland Park  
Adolescent Family Life Program: Las Cruces  
Promotora Program: Las Cruces\*Anthony  
Healthy Start Program: Las Cruces  
Primero Los Ninos Early Head Start Program: Las Cruces