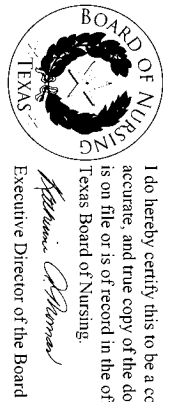


IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 195468
ISSUED TO
ANDREU RAY ORDONEZ

§
§
§
§
§
§
§
§

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.

ORDER OF THE BOARD

TO: Andreu Ray Ordonez
4622 Storcy
Midland, Texas 79703

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 vocational 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 195468, previously issued to ANDREU RAY ORDONEZ, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 195468, previously issued to ANDREU RAY ORDONEZ, 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 vocational nursing in the State of Texas.

Entered this 23rd day of March, 2010.

TEXAS BOARD OF NURSING


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

Re: Permanent Certificate Number 195468
Issued to ANDREU RAY ORDONEZ
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 24th 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):

ANDREU RAY ORDONEZ
4622 Storcy
Midland, Texas 79703

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



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov

Katherine A. Thomas, MN, RN
Executive Director

January 14, 2010

Certified Mail No. 7009 2250 0003 8381 3409

Return Receipt Requested

Andreu Ray Ordonez
4622 Storcy
Midland, Texas 79703

Official Mail Receipt form with fields for postage, return receipt fee, and delivery fee. Includes handwritten address: Andreu Ray Ordonez, 4622 Storcy, Midland, Texas 79703.

Dear Mr. Ordonez:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code. Within three weeks of the date of this letter, you must file a written answer to each charge admitting or denying each allegation.

FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.

Please be advised that should you fail to file a written answer, the case will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license or multistate privilege to practice professional nursing in the State of Texas.

The results of any default order or formal disposition (Board Order) are public information. Results of informal and formal dispositions will appear in the Board's newsletter under the heading of "Disciplinary Action."

Should you desire to discuss this matter, you may contact Erin Menefee, Investigator, Enforcement Division, at the above address, or at (512) 305-6944.

Sincerely,

Handwritten signature of Katherine A. Thomas

Katherine A. Thomas, MN, RN
Executive Director

KAT/em

Enclosure: Formal Charges

09/99-DA

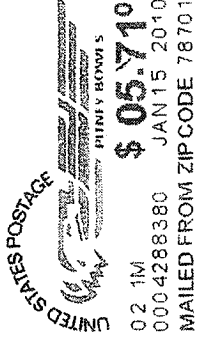
- Members of the Board: Linda Rounds, PhD, FNP, RN; Deborah Bell, CLU, ChFC; Kristin Benton, MSN, RN; Patricia Clapp, BA; Tamara Cowen, MN, RN; Sheri Crosby, JD, SPHR; Marilyn Davis, BSN, RN, MPA; Blanca Rosa Garcia, PhD, RN; Richard Gibbs, LVN; Kathy Leader-Horn, LVN; Josefina Lujan, PhD, RN; Beverley Jean Nutall, LVN; Mary Jane Salgado, MEd; Eaele Pass

TEXAS BOARD OF NURSING
333 GUADALUPE, SUITE 3-460
AUSTIN, TEXAS 78701

CERTIFIED MAIL™



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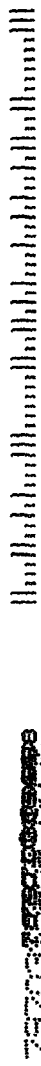


**RETURN RECEIPT
REQUESTED**

Andreu Ray Ordonez
4622 Storcy
Midland, Texas 79703

1/19

NIXIE 799 SE 1 70 Q1/28/10
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 78701394460 *0610-01046-15-99



In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 195468, Issued to §
ANDREU RAY ORDONEZ, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANDREU RAY ORDONEZ, is a Vocational Nurse holding license number 195468, 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 November 24, 2008 through December 2, 2008, while employed as a Licensed Vocational Nurse with Odessa Regional Medical Center, Odessa, Texas, Respondent misappropriated Demerol and Phenergan from the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Additionally, he admitted to taking the Demerol and Phenergan. Possession of Demerol and Phenergan, without a valid prescription, is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). Respondent's conduct was likely to defraud the facility and patients of the cost of 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(4),(6)(G),(8),(10)(E)&(11)(B).

CHARGE II.

On or about November 28, 2008 through December 2, 2008, while employed as a Licensed Vocational Nurse with Odessa Regional Medical Center, Odessa, Texas, Respondent withdrew Morphine from the Pyxis Medication Dispensing System for patients but failed to document the administration of the medication in the patient's Medication Administration Record (MAR), as follows:

Date	Patient	Order	Narc Log	MAR	Waste
11/28/08	255254	Meperidine 75mg IV q4h prn	100mg Meperidine @ 0528	None	None
12/1/08	190764	Meperidine 50mg IV q4h prn	100mg Meperidine @ 2039	None	None

12/1/08	190764	Meperidine 50mg IV q4h prn	100mg Meperidine @ 2250	None	None
12/2/08	190764	Meperidine 75mg IV q4h prn	100mg Meperidine @ 0535	None	None

Respondent's conduct above was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose and it placed the hospital 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)&(D) and 217.12(1)(A),(4)&(11)(B).

CHARGE III.

On or about November 24, 2008 through December 2, 2008, while employed as a Licensed Vocational Nurse with Odessa Regional Medical Center, Odessa, Texas, Respondent withdrew Morphine from the Pyxis Medication Dispensing System for patients in excess of the physician's order and failed to follow the policy and procedure for the wastage, as follows:

Date	Patient	Order	Narc Log	MAR	Waste
11/24/08	255254	Meperidine 75mg IV q4h prn	100mg Meperidine @ 0136	75mg Meperidine @ 0145	None
11/27/08	255254	Meperidine 75mg IV q4h prn	100mg Meperidine @ 0613	75mg Meperidine @ 0630	None
11/27/08	255254	Meperidine 75mg IV q4h prn	100mg Meperidine @ 2005	75mg Meperidine @ 2017	None
11/28/08	255254	Meperidine 75mg IV q4h prn	100mg Meperidine @ 0528	None	None
12/1/08	190764	Meperidine 50mg IV q4h prn	100mg Meperidine @ 1944	50mg Meperidine @ 2330	None
12/1/08	190764	Meperidine 50mg IV q4h prn	100mg Meperidine @ 2039	None	None
12/1/8	190764	Meperidine 50mg IV q4h prn	100mg Meperidine @ 2250	None	None

12/2/08	190764	Meperidine 75mg IV q4h prn	100mg Meperidine @ 0235	75mg Meperidine @A 0522	None
12/2/08	190764	Meperidine 75mg IV q4h prn	100mg Meperidine @ 0535	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) and 217.12(1)(A),(4),(10)(C)&(11)(B).

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. and TEX. OCC. CODE Ch. 53. 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.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines 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.


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CONTINUED ON NEXT PAGE.

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.

Filed this 3rd day of January, 2010.

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