



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 677161 § AGREED
and Vocational Nurse License Number 179245 §
issued to OMAR CONTRERAS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of OMAR CONTRERAS, Registered Nurse License Number 677161, and Vocational Nurse License Number 179245, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 25, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

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 licenses.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the State of Texas, which is in delinquent status.
4. Respondent received an Associate Degree in Nursing from South Texas Community College, McAllen, Texas, on May 1, 2000. Respondent was licensed to practice vocational nursing in the State of Texas on February 15, 2001, and Respondent was licensed to practice professional nursing in the State of Texas on May 11, 2001.

5. Respondent's nursing employment history includes:

April 2000 - August 2005	Staff Nurse McAllen Medical Center McAllen, Texas
September 2005 - October 2005	RN/Case Manager Palm Valley Home Health Edinburg, Texas
October 2005 - June 2006	RN/Case Manager Criterian Health Care Mission, Texas
June 2006 - April 2006	Assistant Director of Nursing Renaissance McAllen, Texas
March 2006 - Present	Administrator/RN/Case Manager High Point Home Health Mission, Texas

6. On or about April 9, 2001, Respondent submitted a Temporary License/Endorsement Application to the Board of Nurse Examiners for the State of Texas in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question: "Have you ever been convicted of a crime other than minor traffic violations?"

A. On or about July 1, 1993, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on May 2, 1993), in the County Court at Law No. Two of Hidalgo County, Texas, under Cause No. CR-111,847-B. As a result of the conviction, Respondent was sentenced to confinement in the Hidalgo County Jail for a period of thirty (30) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years. Additionally, Respondent was ordered to pay a fine and court costs. Respondent was discharged from probation on September 8, 1995.

7. In response to Finding of Fact Number Six (6), Respondent states: He truly believed that he was not required to disclose information regarding his two year probation for Driving While Intoxicated. The DWI offense occurred a considerable period of time before he submitted the applications. He states there was no intent to deceive, defraud or mislead the Board when he submitted the information and the entries were honest mistakes and good faith

errors on his part. Almost sixteen years has elapsed since the conviction and he has been a model citizen and maintained a record of good conduct and good moral character and fitness to work.

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), Texas Occupations Code, (effective September 1, 1999).
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 677161, and Vocational Nurse License Number 179245, heretofore issued to OMAR CONTRERAS, including revocation of Respondent's licenses 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 REMEDIAL EDUCATION WITH A FINE, 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 multistate licensure privilege, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) 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) contact 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, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's licenses and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation 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 when this Order becomes final and the terms of this Order become effective, 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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

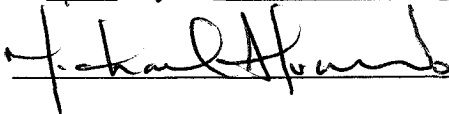
Signed this 11th day of JUNE, 2009.



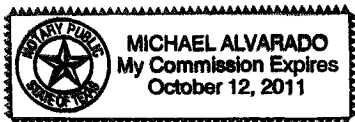
OMAR CONTRERAS, Respondent

Sworn to and subscribed before me this 11th day of JUNE, 2009.

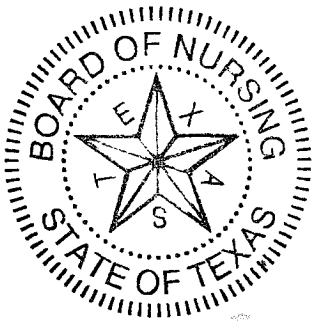
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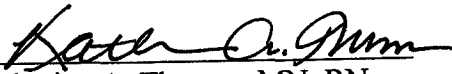
Notary Public in and for the State of TEXAS



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 11th day of June, 2009, by OMAR CONTRERAS, Registered Nurse License Number 677161, and Vocational Nurse License Number 179245, and said Order is final.



Effective this 16th day of June, 2009.


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