



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 § AGREED
License Number 695912 and §
Vocational Nurse License §
Number 149496 issued to §
JUAN CASTILLO JR. § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JUAN CASTILLO JR., Registered Nurse License Number 695912 and Vocational Nurse License Number 149496, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(3)&(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 6, 2009, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 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 currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Laredo Junior College, Laredo, Texas, on August 20, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on October 18, 1994. Respondent received an Associate Degree in Nursing from Laredo Community College, Laredo, Texas, on May 1, 2003. Respondent was licensed to practice professional nursing in the State of Texas on June 3, 2003.

5. Respondent's complete nursing employment history is unknown.
6. On or about January 29, 2007, Respondent was arrested by the Laredo Police Department on three (3) counts of INDECENCY WITH A CHILD SEXUAL CONTACT, second Degree Felony offenses.

On or about March 25, 2008, Respondent entered a plea of no contest to the LESSER OFFENSE OF INDECENT EXPOSURE IN COUNT I, (a Class B Misdemeanor offense committed on November 2, 1998), in the 406th District Court of Webb County, Texas, under Cause No. 2007CRS611D4. As a result, the proceedings against Respondent were deferred, without entering an adjudication of guilt, and Respondent was placed on Community Supervision for a period of two (2) years. Additionally, Respondent was ordered to pay a fine and court costs.

7. On or about August 5, 2008 and August 28, 2008, Respondent underwent a forensic psychological evaluation by Dr. John Reid, Ph.D., P.C.; additionally, a polygraph examination was administered by Jason Layman on August 19, 2008 with the following Findings:

"Mr. Castillo stated he was accused of inappropriately touching his then 13-year-old sister-in-law, who is described by Mr. Castillo as "mentally challenged." Later, the sister-in-law and her mother spoke to the District Attorney's office, telling them "nothing had happened", and as a result of the plea bargain, the initial charge was reduced to a misdemeanor when Mr. Castillo pleaded(sic) guilty to a lesser offense of indecent exposure, Class B. Mr. Castillo denies any sexual contact with his sister-in-law.

Discussion and Recommendations:

The polygraph examination indicated "deceptive criteria noted to all relevant questions asked" regarding his alleged indecency/contact with a child.

Based on the above, it cannot be stated at this time with reasonable confidence that Mr. Castillo can consistently behave in accordance with the Board Rules and general accepted nursing standards. At some future time, he may wish to repeat this examination with another psychologist and polygraph examiner."

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)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
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 695912 and Vocational Nurse License Number 149496, heretofore issued to JUAN CASTILLO JR., 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 a LIMITED LICENSE with Stipulations, 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 compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to JUAN CASTILLO JR., to the office of the Texas Board of Nursing within ten (10) days from date of ratification of this Order.

(2) While under the terms of this Order, RESPONDENT SHALL NOT provide direct

patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(3) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require him to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

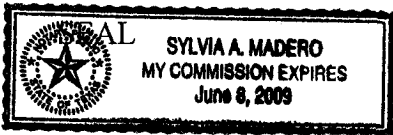
RESPONDENT'S CERTIFICATION

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 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 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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 25 day of Feb, 2009.

Juan Castillo Jr
JUAN CASTILLO JR., Respondent

Sworn to and subscribed before me this 25 day of February, 2009.



Sylvia A. Madero
Notary Public in and for the State of Texas


Approved as to form and substance.

Ray Taylor
RAY TAYLOR, Attorney for Respondent

Signed this 25 day of February, 2009.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 25th day of February, 2009, by JUAN CASTILLO JR., Registered Nurse License Number 695912 and Vocational Nurse License Number 149496, and said Order is final.

Effective this 23rd day of April, 2009.


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

