

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 156982
ISSUED TO
MICHELLE YVONNE CORTEZ

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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 R. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Michelle Yvonne Cortez
3819 Watercanyon Rd.
Baytown, Texas 77521

During open meeting held in Austin, Texas, on December 11, 2007, 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.

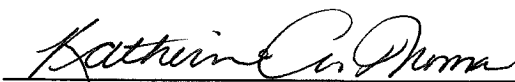
NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 156982, previously issued to MICHELLE YVONNE CORTEZ, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 156982, previously issued to MICHELLE YVONNE CORTEZ, 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 11th day of December, 2007.

TEXAS BOARD OF NURSING

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

Re: Permanent Certificate Number 156982
Issued to MICHELLE YVONNE CORTEZ
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of December, 2007 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):

Michelle Yvonne Cortez
3819 Watercanyon Rd.
Baytown, Texas 77521

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

In the Matter of Permanent License § **BEFORE THE BOARD**
Number 156982, Issued to § **OF NURSE EXAMINERS**
MICHELLE YVONNE CORTEZ, Respondent § **FOR THE STATE OF TEXAS**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MICHELLE YVONNE CORTEZ, is a Vocational Nurse holding license number 156982, 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 8, 2006, while employed with Pulse Staffing, Houston, Texas, and working at Park Plaza Hospital, Houston, Texas, Respondent signed out Norco on the Controlled Substance Distribution and Audit Record for Patient Medical Record Number 7265820, but failed to completely and accurately document the administration of the medication in the patient's Medication Administration Record (MAR) and Nurses Notes, as follows:

Date/Time	Patient #	Medication	Physician's Order	MAR	Nurses Notes	Wastage
9/8/06@1030	7265820	(2) Norco 10/325	Hydrocodone/ Acetaminophen (1) PO PRN (Norco)	1030- No Dose Indicated	1030- No Dose Indicated	NO

Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient.

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(D)(iv), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(11)(B).

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CHARGE II.

On or about September 8, 2006, while employed with Pulse Staffing, Houston, Texas, and working at Park Plaza Hospital, Houston, Texas, Respondent signed out Norco on the Controlled Substance Distribution and Audit Record for Patient Medical Record Number 7265820 in excess dosage of the physician's order, as follows:

Date/Time	Patient #	Medication	Physician's Order	MAR	Nurses Notes	Wastage
9/8/06@1030	7265820	(2) Norco 10/325	Hydrocodone/ Acetaminophen (1) PO PRN (Norco)	1030- No Dose Indicated	1030- No Dose Indicated	NO

Respondent's conduct was likely to injure the patient in that the administration of Norco in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.

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

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