

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 708521 § AGREED
issued to PRAXEDES M. HERNANDEZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of PRAXEDES M. HERNANDEZ, Registered Nurse License Number 708521, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on September 17, 2007, 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 license.
2. Respondent waived informal conference, 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.
4. Respondent received an Associate Degree in Nursing from Yakima Valley College, Yakima, Washington on December 1, 2000. Respondent was licensed to practice professional nursing in the State of Texas on August 2, 2004.
5. Respondent's professional nursing employment history includes:

08/04 - 11/05	RN	Presbyterian Hospital of Dallas Dallas, Texas
12/05 - present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Presbyterian Hospital of Dallas, Dallas, Texas, and had been in that position for approximately one (1) year and three (3) months.
7. On or about November 20, 2005, while employed with Presbyterian Hospital of Dallas, Dallas, Texas, Respondent failed to correctly identify the mother of Infant Patient Medical Record Number 1251374 immediately prior to the infant's breast feeding time and instead, gave the infant to a non-related mother (the mother of Infant Patient Medical Record Number 1147696) to be breast fed. Respondent's conduct was likely to injure the patients in that giving the infant to a non-related mother for breast feeding unnecessarily exposed the patients to a risk of harm.
8. On or about November 20, 2005, while employed with Presbyterian Hospital of Dallas, Dallas, Texas, Respondent failed to report the incident outlined in Finding of Fact Number Seven (7) to any health care team member nor did Respondent discuss the occurrence to the biological mother. Respondent waited until the shift change to disclose the incident to the oncoming shift nurse. Respondent's conduct was likely to injure the patient in that failure to report the incident could have delayed the patient in receiving timely medical interventions.
9. On or about November 20, 2005, while employed with Presbyterian Hospital of Dallas, Dallas, Texas, Respondent failed to institute appropriate nursing interventions that might have been required to stabilize Infant Patient Medical Record Number 1251374, from incurring possible complications. Respondent's conduct was likely to injure the patient in that failure to institute appropriate nursing interventions could have resulted in the patient suffering further adverse effects.
10. Respondent provided a statement to the Texas Board of Nursing in which she stated that the reason she did not fill out an incident report is because baby boy 516 A did not breast feed from the 517 B mother. Respondent states that she was in no way trying to hide the fact the incident occurred. Respondent states that she has learned that no matter how busy she may be, she must always remain vigilant in practicing safely and she will never fail to check an identification band again.

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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(B)(D)(M)&(O) and §217.12(1)(A) & (4).

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 708521, heretofore issued to PRAXEDES M. HERNANDEZ, including revocation of Respondent's license to practice professional 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, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *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 professional nursing in the State of Texas.

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 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 deliver the wallet-sized license issued to PRAXEDES M. HERNANDEZ to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(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 Chemical Dependency, 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/about/stipscourses.html>.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional 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 have reviewed this Order. I neither admit nor deny the violations 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 license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 23rd day of October, 2007.

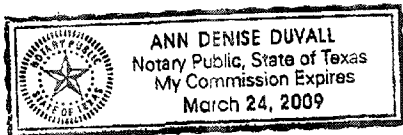
Praxedes Hernandez
PRAXEDES M. HERNANDEZ, Respondent

Sworn to and subscribed before me this 23rd day of October, 2007.

SEAL

Ann Denise Duvall

Notary Public in and for the State of Texas



Approved as to form and substance.

Adrienne E Willson
Adrienne Willson, Attorney for Respondent

Signed this 23rd day of October, 2007.

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 23rd day of October, 2007, by PRAXEDES M. HERNANDEZ, Registered Nurse License Number 708521, and said Order is final.

Effective this 24th day of October, 2007.



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