

BEFORE 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 P. Thomas
Executive Director of the Board

In the Matter of Registered Nurse License Number 728883 § AGREED
and Vocational Nurse License Number 180015 issued to §
IGNACIO LAURELES ARIAS § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Bo accepted the voluntary surrender of Registered Nurse License Number 728883, issued to IGNA LAURELES ARIAS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived informal conference and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's licenses to practice professional and vocational nursing in the State of Texas are currently in invalid status.
4. Respondent received a Certificate in Vocational Nursing from Mid Plains Community College, North Platte, Nebraska, on August 7, 1999. Respondent became licensed to practice vocational nursing in the State of Texas on April 6, 2001. Respondent received an Associate Degree in Nursing from Central Texas College, Killeen, Texas, on May 5, 2006. Respondent became licensed to practice professional nursing in the State of Texas on June 15, 2006.

5. Respondent's vocational and professional nursing employment history includes:

August 1999 to November 2000	LPN Perkins County Health Services Grant, Nebraska
August 2000 to December 2000	LPN/Agency Nurse Columbine Healthcare Systems, Inc. Fort Collins, Colorado
December 2000 to July 2001	Agency Nurse Manager Supplemental Network Staffing, Inc. Austin, Texas
July 2001 to July 2002	Agency Nurse Specialty Hospital of Austin Austin, Texas
July 2002 to June 2003	Agency Nurse Medical Staffing Network, Inc. Austin, Texas
June 2003 to August 2004	Agency Nurse All About Staffing, Inc. Austin, Texas
August 2004 to October 2005	Staff Nurse Round Rock Medical Center Round Rock, Texas
November 2005 to August 2006	Staff Nurse North Austin Medical Center Austin, Texas
September 2006 to Present	Employment Unknown

6. On or about March 4, 2004, while employed North Austin Medical Center, Austin, Texas, Respondent left during a shift without permission. Respondent's conduct was likely to injure patients in that leaving the nursing assignment could have resulted in the patients not getting the care that they needed.
7. On or about June 16, 2004, while employed North Austin Medical Center, Austin, Texas, Respondent failed to completely and/or accurately document a PCA logsheet for a Patient

Thomas. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on his documentation to further medicate the patient which could result in an overdose.

8. On or about March 4, 2005, while employed Round Rock Medical Center, Round Rock, Texas, Respondent left during a shift without permission. Respondent's conduct was likely to injure patients in that leaving the nursing assignment could have resulted in the patients not getting the care that they needed.
9. On or about August 6, 2006, while employed with North Austin Medical Center, Austin, Texas, Respondent violated professional boundaries in that he gave his personal cellular phone number to Patient T.D. and offered to show him around Austin. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
10. On or about August 6, 2006 and , or on or about August 9, 2006, while employed with North Austin Medical Center, Austin, Texas, Respondent violated professional boundaries in that while Respondent was off duty, he called Patient T.D's room number. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
11. On or about August 6, 2006, while employed with North Austin Medical Center, Austin, Texas, Respondent violated professional boundaries in that he participated in sexually inappropriate behavior in that he orally copulated Patient T.D. Furthermore, on August 29, 2006, Respondent was arrested and charged with the offense, Sexual Assault, a Second Degree Felony. Respondent's conduct was and is likely to injure patients or the public.
12. On or about August 6, 2006, while employed at North Austin Medical Center, Austin, Texas, Respondent caused emotional and sexual harm to Patient T.D. in that he forced said patient to submit and become prone to sexual molestation or sexual acts while said patient was in an immobile state and in a helpless condition. Respondent's conduct may have caused emotional harm to Patient T.D.
13. Formal Charges were filed on August 31, 2006.
14. Formal Charges were mailed to Respondent on September 1, 2006.
15. First Amended Formal Charges were filed on June 27, 2008.

16. First Amended Formal Charges were mailed to Respondent on June 30, 2008.
17. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his licenses to practice nursing in the State of Texas.

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, 22 TEX. ADMIN. CODE §217.11(1)(B)(D)(J), and 22 TEX. ADMIN. CODE §217.12(1)(C)(D), (4), (6)(D)(E).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 728883, and Vocational Nurse License Number 180015, heretofore issued to IGNACIO LAURELES ARIAS, including revocation of Respondent's licenses to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 728883 and Vocational Nurse License Number 180015, heretofore issued to IGNACIO LAURELES ARIAS, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board

imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized licenses, heretofore issued to IGNACIO LAURELES ARIAS, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional or vocational nursing, use the title "registered nurse" or "vocational nurse" or the abbreviation "RN" or "LVN" or wear any insignia identifying himself as a registered nurse or vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered or vocational nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, 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 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

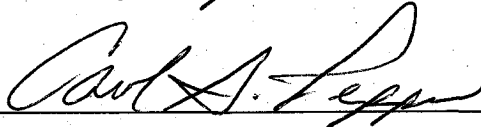
Signed this 30 day of September 20 08.




IGNACIO LAURELES ARIAS, Respondent


Sworn to and subscribed before me this 30 day of September, 20 08.





Notary Public in and for the State of Texas


Approved as to form and substance.




TED L. POTTER, Attorney for Respondent

Signed this 30 day of September, 20 08.

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 728883 and Vocational Nurse License Number 180015, previously issued to IGNACIO LAURELES ARIAS.

Effective this 30th day of September, 2008.


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

