

BOARD OF VOCATIONAL
NURSE EXAMINERS

VS.

SOILA DELGADO

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STATE OF TEXAS

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 151199 held by SOILA DELGADO, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the Board's opinion, is likely to deceive, defraud, or injure the public, in violation of Texas Occupations Code, Chapter 302, Section 302.402 (a) (10), in the following manner:

I.

- a. Respondent was employed as a licensed vocational nurse with Med Team, Inc. in San Antonio, Texas from about November 25, 2002 through about March 27, 2003.
- b. While so employed at said facility, on or about March 27, 2003 Respondent submitted falsified nurses notes for patient R.M. to her employer for the future visit dates of March 27, 28, and 29, 2003.

AGREED BOARD ORDER
RE: SOILA DELGADO, LVN #151199
PAGE 2

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above-mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Respondent does hereby waive the right to a formal Complaint, Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, subject to ratification by the Board of Vocational Nurse Examiners that license number 151199, heretofore issued to SOILA DELGADO to practice vocational nursing in the State of Texas be, and the same is hereby suspended, with said suspension stayed and placed on probation for a period of one (1) year.

The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.

2. That Respondent shall comply with Federal State, and local laws, and all provisions of the Texas Occupations Code and Rules and Regulations of the Board.
3. That Respondent shall not practice nursing in a Nurse Licensure Compact remote state without obtaining prior written authority of both the BVNE and the Board of Nursing of the remote state.
4. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.
5. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.
6. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. five.
7. That Respondent shall not be employed by a nurse registry, temporary nurse employment agency, home health agency, or as a private duty nurse throughout the term of probation.
8. That Respondent shall successfully complete nursing program course(s) encompassing the following areas of study: **Legal Aspects of Nursing** (to include Charting), and submit documentation of successful course completion to the Board office within the first six (6) months of probation. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to committing to said course(s). Said course(s) shall be through correspondence (through a recognized provider), in-house at a community college, university or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent. Failure to successfully complete said course(s) within the time frame stipulated, shall be considered a violation of probation.
9. That Respondent pay a Probation Monitoring fee in the amount of thirty (\$30.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter commencing the quarter following the date of the Board's ratification of the Order, and continuing thereafter until the successful completion of Respondent's probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners ", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to make any quarterly payment on time shall constitute a violation of probation.

AGREED BOARD ORDER
RE: SOILA DELGADO, LVN #151199
PAGE 4

10. That Respondent shall return their license to the Board office for a replacement license marked "**PROBATION**" and pay a license re-issue fee in the amount of twenty (\$20.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said return of license and fee shall be made not later than thirty (30) days following the date of the Board's ratification of the Agreed Board Order. Said license and fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to return said license or pay said fee shall constitute a violation of probation.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 10th day of October, 2003.

Soila N. Delgado
Signature of Respondent

114 CR 741 (P.O. Box 85)
Current Address

2 Jancey Tx 78886
City, State and Zip

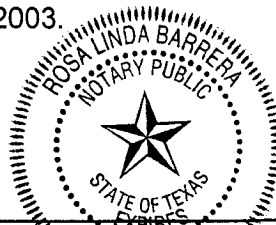
830 1 741-8423
Area Code and Telephone Number

AGREED BOARD ORDER
RE: SOILA DELGADO, LVN #151199
PAGE 5

The State of Texas
County of Frio

Before me, the undersigned authority, on this day personally appeared SOILA DELGADO, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 29 day of October, 2003.



Rosa Linda Barrera

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Terrie L. Hairston
Terrie L. Hairston, R.N., C.H.E.,
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 25 day of November, 2003.

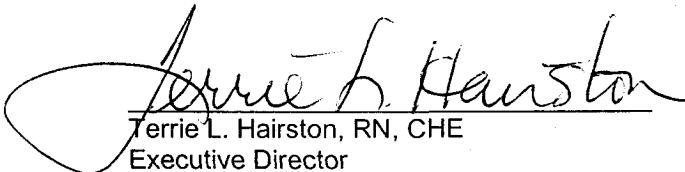


Ester Arispe
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

BOARD ORDER
RE: SOILA DELGADO, LVN #151199
PAGE: 6

WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 29th day of October, 2003 by Respondent, license number 151199 and that Said Order is Final.

Effective this 2nd day of December, 2003

A handwritten signature in black ink, reading "Terrie L. Hairston". The signature is written in a cursive style with a large, looping initial "T".

Terrie L. Hairston, RN, CHE
Executive Director
On Behalf of Said Board

BOARD ORDER

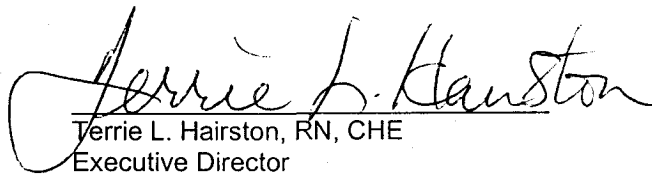
RE: SOILA DELGADO, LVN #151199

PAGE: 7

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of December, 2003, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

SOILA DELGADO
PO BOX 85
YANCY, TX 78886



Terrie L. Hairston, RN, CHE
Executive Director
Agent for the Board of Vocational Nurse Examiners



Katherine A. Thomas, MN, RN
Executive Director

Board of Nurse Examiners For the State of Texas

Linda Rounds, PhD, FNP, RN
President

December 10, 2004

SOILA DELGADO RAMIREZ
238 WALLACE
SAN ANTONIO TX 78237

Dear Ms. Ramirez:

Our file reflects that all requirements of the Order of the Board entered on December 2, 2003, have been met.

Please return your current wallet-sized license along with a copy of this letter. We will then issue you a license without the stipulated designation.

If you have any questions, please contact me at (512) 305-7667.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Hudson".

Carolyn Hudson
Investigator
Monitoring

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