

Respondent's vocational nursing employment history continued:

1985 - 1993	LVN	Fresenius Medical Center Dialysis McAllen & Weslaco, Texas
1993 - 2000	LVN	McAllen Kidney Center Weslaco, Texas
2000 - 2008	LVN	True Care Dialysis McAllen & Edinburg, Texas
2009 - 2010	LVN	Home Health Care Pharr, Texas
2011 - 2013	LVN	East Hidalgo Detention Center La Villa, Texas
2013 - 2015	LVN	Alfredo Gonzalez Texas State Veterans Home McAllen, Texas
2015 - 2016	LVN	Fresenius Medical Center Dialysis Weslaco, Texas
04/16 - 2017	LVN	Grand Terrace Nursing & Rehabilitation Edinburg, Texas
2017 - Present	LVN	Edinburg Nursing Home & Rehab Edinburg, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Grand Terrace Nursing & Rehabilitation, Edinburg, Texas, and had been in that position for one (1) year and two (2) months.
7. On or about June 22, 2017, while employed as a Licensed Vocational Nurse with Grand Terrace Nursing & Rehabilitation, McAllen, Texas, Respondent inappropriately administered Resident FQ's Paxil and Risperdal to Resident JM. Respondent's conduct was likely to defraud Resident FQ of the cost of the medications.
8. In response to Finding of Fact Number Seven (7), Respondent states that Resident JM was admitted to the facility that day, and Resident JM's daughter approached him and asked him what time his medication to sleep would be given. Respondent states that the facility did not have Paxil or Risperdal in their in-house pharmacy because they are narcotics, but they would be delivered the following day. Respondent further states when he tried to explain this

to Resident JM's daughter, she became upset. Respondent states in an attempt to calm Resident JM's daughter, he asked a medication aide to see if he could find Paxil and Risperdal. Respondent states the medication aide came back to the nurse's station with Paxil and Risperdal belonging to another resident. Respondent states he checked the dosages and removed 1 pill from each blister pack, then administered them to Resident JM.

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 violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A)&(C) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 107433, heretofore issued to JUAN A TELLEZ.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to 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.

III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) 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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.

- B. **A Board-approved course in medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. **The course “Sharpening Critical Thinking Skills,”** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

V. **RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 8 day of March, 2018.

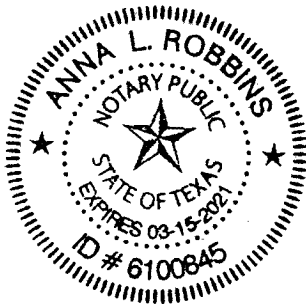
Juan A Tellez
JUAN A TELLEZ, Respondent

Sworn to and subscribed before me this 8 day of March, 2018.

SEAL

Anna L. Robbins

Notary Public in and for the State of 3-15-21



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 8th day of March, 2018, by JUAN A TELLEZ, Vocational Nurse License Number 107433, and said Order is final.

Effective this 14th day of March, 2018.



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