

Petitioner's nursing employment history continued:

02/2016 – 03/22016	LVN	Harris Health System Pasadena, Texas
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03/2018 – Present	Non nursing	
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5. On or about April 26, 2018, the Board accepted the Voluntary Surrender of Petitioner's license to practice nursing in the State of Texas through an Order of the Board. A copy of the April 26, 2018, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
6. On or about May 22, 2019, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. Petitioner presented the following in support of said petition:
 - A. Letter of support dated May 15, 2019 from Uzma Shamim, Houston Cancer Treatment Centers, stating he was impressed with Petitioner's enthusiasm and professionalism as a nurse's aide. Petitioner is reliable, friendly, compassionate and professional.
 - B. Letter of support dated February 5, 2020 from Joan Suszko, MD, Harris Health System, stating Petitioner currently engaged in treatment. She began in May 2018 and continues today. She has been compliant with treatment recommendations and medications.
 - C. Letter of support dated February 20, 2020 from Marnita Chambers, MA, LPC, Harris Health System, stating Petitioner attends therapy consistently, and plans to continue.
 - D. Letter of support from Lindsey E. Knott, Ph.D., stating Petitioner participated in outpatient treatment between 11/4/2019 to 1/3/2020. She successfully completed the program and made significant therapeutic gains towards her goals. At this time, Petitioner does not require further intervention.
 - E. Documentation of the required continuing education contact hours.
8. On or about August 21, 2019, Petitioner presented to Donna Yi, M.D., P.A., Houston, Texas, for examination. As a result, Dr. Yi was able to offer the following Conclusion and Recommendation:

Dr. Cunningham has advised that evaluatee return to IOP treatment and see a therapist, however, the evaluatee has had difficulty following up on these recommendations...

Psychological testing noted, however, serious and significant emotional symptoms such that she likely continues to have moderate-to-severe depression, anxiety, and mood instability. Thus, she remains at increased risk for self-injurious behavior and suicidal ideation....

Given the persistence of significant psychiatric symptoms, the evaluatee cannot be deemed fit to return to nursing practice until consistent and substantiated psychiatric stability is achieved. (a) Re-evaluation of her fitness to practice nursing can be undertaken if and when her treatment providers determine that current psychiatric concerns are improved such that she does not pose a risk to herself and others in the workplace....

Treatment recommendation include (a) evaluatee should be referred to a primary care physician and cardiologist; (b) continue in psychiatric treatment with Dr. Cunningham for medication management, along with (i) adhere to Dr. Cunningham's recommendation for IOP and, given the chronicity of her symptoms, the likely need for continued long-term individually and group psychotherapy after completion of the program; (ii) referred for individual and group DBT; (iii) other therapies aimed at addressing trauma; (iv) other medications; (v) refrain from such alcohol consumption; (c) professional education on boundaries; (d) receive psychoeducation about her condition.

9. Respondent completed an Intensive Outpatient Program (IOP) through the Ben Taub/Harris Health System between the dates of November 4, 2019 and January 3, 2020. A letter from Lindsey E. Knott, Ph.D. indicates Respondent "made significant therapeutic gains towards her goals" and is "considered terminated from the care of the IOP and does not require further intervention at the intensive outpatient level of care."
10. On February 5, 2020, Joan Suszko, MD, Attending Psychiatrist in the Harris Healthy System wrote a letter on behalf of Respondent indicating she is currently engaged in psychiatry outpatient treatment which started in May of 2018 and has been compliant with treatment recommendations and medications.
11. Respondent submitted an additional letter of recommendation from Michael Garza-Burns, her Phlebotomy Supervisor at Your Health Lab dated February 8, 2020. Mr. Garza-Burns indicated that he worked with Respondent in the same oncology clinic for over a year. He notes that her knowledge and compassion are unequalled and that she is well-practiced in multi-tasking and prioritizing. He also indicated she is a capable instructor after witnessing her train several co-workers.
12. On February 20, 2020, Marnita Chambers, MA, LPC with Gulfgate Health Clinic wrote a letter on behalf of Respondent indicated she is currently receiving therapy and is attending consistently with a plan to continue at this time.
13. The Executive Director considered evidence of Petitioner's past behavior in light of the factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for relicensure.
14. The Executive Director considered evidence of Petitioner's mental illness and subsequent treatment as provided in 22 TEX. ADMIN. CODE §213.29 and in accordance with 22 TEX. ADMIN. CODE §213.33.

15. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
16. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.
17. Petitioner's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. This reinstatement is made pursuant to Sections 301.453(c) and 301.467, Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26.
3. The Board may relicense an individual upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, if the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).
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. REINSTATEMENT OF LICENSURE AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of MARIA GUADALUPE MARROQUIN for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and

Vocational Nurse License Number 328214 is/are hereby **REINSTATED** in accordance with the terms of this Order.

- A. PETITIONER SHALL pay all re-registration fees, if applicable, and PETITIONER'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- B. Until successfully completed, this Order SHALL apply to any and all future licenses issued to PETITIONER to practice nursing in the State of Texas.
- C. Until successfully completed, this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. As a result of this Order, PETITIONER'S license(s) will be designated "single state" and PETITIONER 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, PETITIONER agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Reinstatement Agreed Order.

III. PEER ASSISTANCE PROGRAM REQUIREMENTS

IT IS FURTHER AGREED and ORDERED that PETITIONER SHALL comply with the following conditions for such a time as is required for PETITIONER to successfully complete the **Texas Peer Assistance Program for Nurses (TPAPN)**:

- A. Within forty-five (45) days following the date of relicensure, PETITIONER SHALL apply to TPAPN.
- B. Within ninety (90) days following the date of relicensure, PETITIONER SHALL sign and execute the TPAPN participation agreement and complete the enrollment process.

- C. Upon acceptance into the TPAPN, PETITIONER SHALL **waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.**
- D. PETITIONER SHALL **comply with all requirements of the TPAPN participation agreement** during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas in current status.
- E. PETITIONER SHALL CAUSE the TPAPN to **notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.**

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) **within one (1) year of relicensure, 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 and video programs will not be approved.

In order to receive credit for completion of this/these course(s), PETITIONER 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. PETITIONER 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. EFFECT OF NONCOMPLIANCE

SHOULD PETITIONER fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further

disciplinary action including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER'S license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Reinstatement Agreed Order, all encumbrances will be removed from PETITIONER'S license(s) and/or privilege(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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand this Order is conditioned upon the accuracy and completeness of my petition and disclosures. I further understand that subsequently discovered discrepancies in my petition and/or disclosures will result in investigation and possible disciplinary action, up to revocation of my license(s).

I have reviewed this Order. I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order.

I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. 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 TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, and/or REVOCATION of my license(s) and/or nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 23 day of March, 2020.



MARIA GUADALUPE MARROQUIN, PETITIONER

Sworn to and subscribed before me this _____ day of _____, 20____

SEAL _____

Notary Public in and for the State of _____

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 23rd day of March, 2020, by MARIA GUADALUPE MARROQUIN, Vocational Nurse License Number 328214, and said Reinstatement Agreed Order is final.

Effective this 24th day of March, 2020.



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



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.
Stephanie Chapman
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Vocational Nurse License Number 328214 §
issued to MARIA GUADALUPE MARROQUIN §

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARIA GUADALUPE MARROQUIN, Vocational Nurse License Number 328214, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice 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. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Certificate in Vocational Nursing from San Jacinto College North, Houston, Texas, on August 13, 2015. Respondent was licensed to practice vocational nursing in the State of Texas on September 17, 2015.
4. Respondent's nursing employment history is unknown.
9. On or about April 13, 2018, Respondent was notified of the following allegation:

On or about March 16, 2018, Respondent submitted to a Psychological Evaluation with Dr. William July, who concluded that in Respondent's current state she is not emotionally or psychologically capable of fulfilling the duties of a professional nurse.

10. On April 26, 2018, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated April 26, 2018, is attached and incorporated herein by reference as part of this Order.

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 §217.12(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 328214, heretofore issued to MARIA GUADALUPE MARROQUIN, including revocation of Respondent's license(s) 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.

TERMS OF ORDER

NOW, THEREFORE, IT IS ORDERED that the **VOLUNTARY SURRENDER** of Vocational Nurse License Number 328214, heretofore issued to MARIA GUADALUPE MARROQUIN, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.

3. 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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 26th day of April, 2018.

TEXAS BOARD OF NURSING

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