

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse License Number 666817 §  
issued to REGINA B. BACA §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 666817, issued to REGINA B. BACA, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal conference, notice and hearing.

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

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in Delinquent status.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received an Associate Degree in Nursing from San Antonio College, San Antonio, Texas, on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas in February 15, 2000.
4. Respondent's professional nursing employment history includes:

|               |              |  |
|---------------|--------------|--|
| 02/00 - 05/00 | Staff Nurse  | Christus Santa Rosa Children's Hospital<br>San Antonio, TX |
| 02/00 - 02/04 | Charge Nurse | Muleshoe Area Medical Center<br>Muleshoe, TX               |

06/04 - 7/06

Registered Nurse

Methodist Healthcare System  
San Antonio, TX

08/06 - Present

Unknown

5. On or about November 27, 2006, the Texas Board of Nursing notified Respondent of the following allegations:

On or about February 18, 2006, through July 1, 2006, while employed as a Registered Nurse with Metropolitan Methodist Hospital, San Antonio, Texas, Respondent:

- a. withdrew medications/narcotics from the Medication Dispensing System (PYXIS) for patients without valid physicians' orders;
  - b. withdrew medications/narcotics from the Medication Dispensing System (PYXIS) for patients in excess frequency/dosage of physicians' orders;
  - c. withdrew medications/narcotics from the Medication Dispensing System (PYXIS) for patients, but failed to document, or accurately document the administration of the medications in the medical records for the patients;
  - d. withdrew medications/narcotics from the Medication Dispensing System (PYXIS) for patients, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications/narcotics;
  - e. withdrew medications/narcotics from the Medication Dispensing System (PYXIS) for discharged patients; and
  - f. misappropriated medications/narcotics from the facility and patients thereof.
6. On September 30, 2008, the Texas Board of Nursing received Respondent's Registered Nurse License Number 666817 and notarized statement voluntarily surrendering the right to practice professional nursing in Texas. A copy of this statement is attached and incorporated, by reference, as part of this Order.
7. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

8. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

#### 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 of Section 301.452(b)(10), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A),(C)&(D)(iv), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(C),(4),(6)(A)&(G),(10)(B)&(C)&(11)(B).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 666817, heretofore issued to REGINA B. BACA, to practice professional 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 professional nursing, use the title of Registered Nurse or the abbreviation "RN" or wear any insignia identifying herself as a Registered Nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a Registered Nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
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 multistate licensure privilege, if any, to practice professional nursing in compact states.

Effective this 13 day of November, 2008.



TEXAS BOARD OF NURSING

By:



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