

IN THE MATTER OF

THE TEMPORARY GENERAL MRT
CERTIFICATE OF

ASTRID GARCIA

BEFORE THE

TEXAS MEDICAL BOARD

NUNC PRO TUNC

On the 10 day of June, 2016 came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of the temporary general medical radiologic technologist certificate of Astrid Garcia.

On March 4, 2016, the Board and Respondent entered into a remedial plan ("2016 Remedial Plan"). The Board has become aware that the following language was inadvertently omitted from Term Paragraph No. 1 of the 2016 Remedial Plan:

"Or be approved, recognized, accepted, or assigned continuing education credits by professional organizations or associations acceptable to the Executive Director or her designee, or offered by a federal, state, or local governmental entity."

ORDER

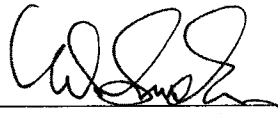
It is therefore ORDERED that Remedial Plan Term Paragraph No. 1 of the 2016 Remedial Plan, as stated above, is hereby changed to read: "Within one year following the date of the entry of this Remedial Plan, Applicant shall enroll in and successfully complete at least four hours of continuing education ("CE") in the topic of ethics. The CE shall be approved for semester hour or quarter hour credit by an institution accredited by the Southern Association of Colleges and Schools or continuing education credit by an institution accredited by the Joint Review Committee on Education in Radiologic Technology (JRCERT), Joint Review Committee on Education in Nuclear Medicine Technology (JRCNMT), Joint Review Committee on Education in Cardiovascular Technology (JTCCVT), the Council on Chiropractic Education (CCE), or be approved, recognized, accepted, or assigned continuing education credits by

professional organizations or associations acceptable to the Executive Director or her designee, or offered by a federal, state, or local governmental entity, and approved in writing and in advance by the Executive Director or her designee. To obtain approval for the course, Applicant shall submit in writing to the Compliance Division of the Board information on the course, to include at least a reasonably detailed description of the course content and faculty, as well as the course location and dates of instruction. Applicant shall submit documentation of attendance and successful completion of this requirement to the Compliance Division of the Board on or before the expiration of the time limit set forth for completion of the course.”

All other provisions of the 2016 Remedial Plan remain in full force.

THIS ORDER IS A PUBLIC RECORD.

SIGNED AND ENTERED on this 10 day of June, 2016.



Michael Arambula, M.D., Pharm.D., President
Texas Medical Board



TEXAS MEDICAL BOARD

REMEDIAL PLAN
ASTRID GARCIA, TEMPORARY-MRT

On the 4th day of March 2016 the application for a Texas temporary general medical radiologic technologist certificate by Astrid Garcia ("Applicant") came to be heard before the Texas Medical Board ("Board").

This Remedial Plan was offered by the Executive Director, and with the consent of Applicant, as evidenced by Applicant's signature on this Remedial Plan, the Board makes the following Findings and Conclusions of Law and enters this Remedial Plan.

FINDINGS

Applicant failed to disclose on her application for certification that she was arrested in 2011 and charged with a misdemeanor, based upon a false report to a police officer. After completing a pre-trial diversion program, the charges were dismissed.

Applicant does not admit or deny the Findings and Conclusions of Law contained herein but, rather, has agreed to settle in good faith to avoid the cost, expense, and uncertainty of litigation.

BOARD HISTORY

Applicant has not had a prior Remedial Plan with the Board.

MITIGATING FACTOR

Applicant cooperated in the investigation of the allegations that resulted in this Remedial Plan.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter and Applicant pursuant to the Medical Radiologic Technologist Certification Act, Title 3, Subtitle K, Texas Occupations Code ("Act").

2. Section 601.302(1) of the Act authorizes the Board to take action against Applicant based on Applicant submitting to the Board a false statement in an application for a certificate.

3. Section 601.052(1)(F) of the Act authorizes the Board to resolve this matter with a remedial plan.

REMEDIAL PLAN TERMS

Based on the above, the Board grants Applicant a temporary general medical radiologic technologist certificate under the following terms and conditions:

1. Within one year following the date of the entry of this Remedial Plan, Applicant shall enroll in and successfully complete at least four hours of continuing education ("CE") in the topic of ethics. The CE shall be approved for semester hour or quarter hour credit by an institution accredited by the Southern Association of Colleges and Schools or continuing education credit by an institution accredited by the Joint Review Committee on Education in Radiologic Technology (JRCERT), Joint Review Committee on Education in Nuclear Medicine Technology (JRCNMT), Joint Review Committee on Education in Cardiovascular Technology (JTCCVT), or the Council on Chiropractic Education (CCE) and is directly or indirectly related to the disciplines of radiologic technology and approved in writing in advance by the Executive Director or her designee. To obtain approval for the course, Applicant shall submit in writing to the Compliance Division of the Board information on the course, to include at least a reasonably detailed description of the course content and faculty, as well as the course location and dates of instruction. Applicant shall submit documentation of attendance and successful completion of this requirement to the Compliance Division of the Board on or before the expiration of the time limit set forth for completion of the course.

2. The cost for administering the Remedial Plan is \$500. Payment of this cost is due within 60 days of the date of the entry of this Remedial Plan. The cost shall be paid in a single payment by cashier's check or money order payable to the Texas Medical Board and shall be submitted to the Executive Director for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund.

3. The terms of this Remedial Plan are not subject to modification or early termination.

4. Applicant shall comply with all the provisions of the Act and other statutes regulating Applicant's practice.

5. Applicant shall fully cooperate with the Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Applicant's compliance with this Remedial Plan.

6. Any violation of the terms, conditions, or requirements of this Remedial Plan by Applicant shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Applicant pursuant to the Act.

7. This Remedial Plan shall automatically terminate upon Applicant's submission to the Board of evidence deemed to be sufficient by the Compliance Division of the Board that Applicant successfully completed the requirements set forth in the Remedial Plan Paragraph Nos. 1 and 2.

8. The temporary general certificate issued under this Remedial Plan is valid for no longer than one year from the date of the entry of this Remedial Plan. The temporary certificate issued under this Remedial Plan may not be renewed or extended for any reason.

9. Applicant's successful completion of Paragraph Nos. 1 and 2, as determined by the Compliance Division of the Board, is a precondition to Applicant being considered for any future certification or licensure by the Board or its advisory boards.

THIS REMEDIAL PLAN IS A PUBLIC RECORD.

THIS REMEDIAL PLAN IS NON-DISCIPLINARY.

I, ASTRID GARCIA, T-MRT, HAVE READ AND UNDERSTAND THE FOREGOING REMEDIAL PLAN. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS REMEDIAL PLAN IS A FINAL, NON-APPEALABLE AGREEMENT THAT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

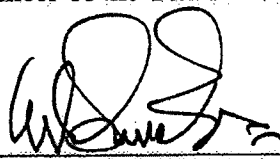


ASTRID GARCIA, T-MRT
Applicant

03-01-2016

DATE

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 4th
day of March, 2016.



Michael Arambula, M.D., Pharm.D., President
Texas Medical Board