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.
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Women's Health Nurse Practitioner	§	AGREED
and Registered Nurse License Number 456297	§	
issued to RHONDA JO BURD	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RHONDA JO BURD, Women's Health Nurse Practitioner and Registered Nurse License Number 456297, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 6, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, subject to ratification by the Board.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).

2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent's Women's Health Nurse Practitioner certification is in current status.

4. Respondent received an Associate Degree in Nursing from Oklahoma State University Technical Institute, Oklahoma City, Oklahoma, on May 8, 1979. Respondent was licensed to practice professional nursing in the State of Texas on January 12, 1981. Respondent completed a post-graduate Nurse Practitioner program from the University of Texas Health Science Center, Dallas, Texas, on January 18, 1982. Respondent was recognized as a Women's Health Nurse Practitioner in the State of Texas on March 4, 1987. Respondent was granted Prescriptive Authority in the State of Texas on August 7, 1992.

5. Respondent's nursing employment history includes:

11/78 0 12/80	Staff Nurse	Oklahoma Memorial Hospital Oklahoma City, OK
1/81 - 7/84	Nurse Practitioner	Planned Parenthood Oklahoma City, OK
7/83 - 7/84	Nurse Practitioner	Oklahoma Memorial Hospital Oklahoma City, OK
8/84 - 7/85	Unknown	
8/85 - 1/87	Nurse Practitioner	Planned Parenthood Oklahoma, OK
1/87 - 12/87	Nurse Practitioner	Routh St. Women's Clinic Dallas, Texas
2/88 - 12/01	Nurse Practitioner	Ob-Gyn Associates Arlington, Texas
1/92 - 8/94	Nurse Practitioner	Cross Timbers Health Center DeLeon, Texas
9/94 - 2/97	Nurse Practitioner	Dublin Family Care Clinic Dublin, Texas
2/97 - Present	Nurse Practitioner	Stephenville Medical & Surgical Clinic Stephenville, Texas

6. On or about March 6, 1985, Respondent's license to practice professional nursing in the State of Texas was REVOKED by the Board of Nurse Examiners for the State of Texas, Austin, Texas, based on Findings that:

- On or about July 25, 1984, Respondent's license to practice professional nursing was SUSPENDED for a period of one year by order of the Oklahoma Board of Nurse Registration and Nursing Education based on a Finding that Respondent attempted to procure a prescription drug using the name of a physician without first obtaining the physician's consent.

A copy of the Findings of Fact, Conclusions of Law and Order, dated March 6, 1985, is attached and incorporated, by reference, as part of this order.

7. On or about September 18, 1986, Respondent's license to practice professional nursing in the State of Texas was REINSTATED by the Board of Nurse Examiners for the State of Texas, Austin, Texas. A copy of the Order dated September 18, 1986 is attached and incorporated, by reference, as part of this order.

8. On June 8, 2010, Respondent was issued WARNING WITH STIPULATIONS through an Agreed Order by the Texas Board of Nursing. A copy of the June 8, 2010 Agreed Order, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

9. At the time of the incident in Finding of Fact Number Ten (10), Respondent was employed as a Women's Health Nurse Practitioner with Stephenville Medical & Surgical Clinic, Stephenville, Texas and had been in this position for fourteen (14) years.

10. On or about February 11, 2011, while employed as a Women's Health Nurse Practitioner at Stephenville Medical & Surgical Center, Stephenville, Texas, Respondent failed to report sexual abuse of minor 16-year-old Patient AH to the proper authorities, who was seen at the clinic for a routine gynecological exam and informed Respondent that she was sexually active with a 20-year-old male. Respondent's conduct was a violation of the Section 21.11 of the Penal Code, (Indecency with a Child) and Chapter 261 of the Texas Family Code (Reporting Suspected Child Abuse).

11. In response to Finding of Fact Number Ten (10), Respondent states that a sixteen year old female came in to our clinic for a routine gynecologic exam, desiring birth control and Gardasil. Respondent explains that during the intake, she discovered the patient's sex partner was twenty years old, so began filling out an abuse form. Respondent adds that she delegated the completion this form to another staff member for reporting to authorities with implication so she could proceed to her next patient. Respondent states that although she does not have a memory of this incident, a review of the chart implied that the chart was not available for her to review at the end of the working day since there was no additional notation from her on this case. Since this incident, Respondent states she has developed, a tracking system that can aid against this type of oversight and better insure continuity of care.

12. On or about March 13, 2010, Respondent was arrested for Driving While Intoxicated in Erath County, Stephenville, Texas. On June 25, 2010, Respondent was charged with OPERATING A MOTOR VEHICLE WHILE INTOXICATED. On April 14, 2010, Respondent completed an alcohol counseling program required for obtaining an essential needs license.

13. On or about January 22, 2012, Respondent was arrested for Driving While Intoxicated 2nd in Erath County, Stephenville, Texas.

14. In response to Findings of Fact Numbers Twelve (12) and Thirteen (13), Respondent admits that she was arrested on March 13, 2010 on charges of DWI, which was handled by pre-trial diversion and states she was also arrested on January 21, 2012 on suspicion of DWI. Respondent asserts that since her subsequent arrest for suspected DWI, she has had an opportunity to examine her actions as they relate to her arrests and has come to the conclusion that she has been using alcohol instead of healthy coping mechanisms and now has a desire to better educate and regulate herself. Respondent states she has been attending Alcoholics Anonymous since January 22, 2010 and has maintained sobriety. Additionally, Respondent states she has learned different coping skills through private counseling, has been in contact with Star Council on Substance Abuse, and is currently attending classes pertaining to alcohol education. Respondent asserts that it is her hope and intention to better herself through education, counseling and a network of support to avoid any further issues concerning alcohol.

15. The Board received a letter from Respondent's AA sponsor, who verifies Respondent sobriety, and a letter from her therapist, who asserts that Respondent has been in therapy since 2010. Also received by the Board is a letter from Respondent's supervising physician, Janie McMillion, M.D. Dr. McMillion states that Respondent has never shown any attendance or punctuality issues and has never shown any decision making or patient related concerns. Dr. McMillion adds that Respondent has taken her problem very seriously and immediately implemented random drug and alcohol testing, all of which have been negative. According to Dr. McMillion, there are small number of healthcare providers in their community, who provide care for indigent or underfunded obstetrical patients. Dr. McMillion asserts that Respondent is an invaluable provider for these and other patients that have limited access to care. Dr. McMillion adds that it would be a significant hardship for these patients if Respondent were unable to continue to practice.

16. The Board received negative results of random Breath Alcohol Tests submitted by Respondent's employer, Stephenville Medical and Surgical Clinic.

17. 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 violations of Section 301.452(b)(9),(10) & (13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)&(B) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(4)&(6)(C).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Women's Health Nurse Practitioner and Registered Nurse License Number 456297, heretofore issued to RHONDA JO BURD, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Women's Health Nurse Practitioner and Registered Nurse License Number 456297, previously issued to RHONDA JO BURD, to practice professional nursing in Texas is hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this order the Respondent may not work outside the State of Texas pursuant to a

nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

(1) RESPONDENT SHALL 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.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.texas.gov/disciplinaryaction/stipscourses.html.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address:*

http://www.bon.texas.gov/disciplinaryaction/stipscourses.html.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations conditions on RESPONDENT'S license(s). RESPONDENT

SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations conditions on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) For the duration of the probation period, RESPONDENT SHALL be supervised by her assigned supervising physician who is on the premises. The supervising physician is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. In the event that the supervising physician is not on the premises, RESPONDENT SHALL be supervised other physicians who are on the premises. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided

to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising physician to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

(8) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.**

(9) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation/probation period, random screens shall be performed at least once every three (3)

months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the stipulation/probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

(10) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT'S progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended beyond the initial three (3) months, the reports shall then be required at the end of each three (3) month period for the remainder of the stipulation period, or until RESPONDENT is dismissed from therapy.

(11) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

(12) RESPONDENT SHALL CAUSE her probation officer to submit written reports on forms provided to the Respondent by the Board. The reports shall indicate the RESPONDENT'S compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until RESPONDENT is released from probation.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an

additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that 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 RESPONDENT shall 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 violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 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 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 23rd day of April, 2012

Rhonda Jo Burd

RHONDA JO BURD, Respondent

Sworn to and subscribed before me this 23rd day of April, 2012

LYDIA HENDERSON
Notary Public
STATE OF TEXAS
My Commission
Expires 06/26/2012

Lydia Henderson

Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 23rd day of April, 2012, by RHONDA JO BURD, Registered Nurse License Number 456297, and said Order is final.

Effective this 7th day of May, 2012.

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

BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Registered Nurse	§	AGREED
License Number 456297	§	
issued to RHONDA JO BURD	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RHONDA JO BURD, Registered Nurse License Number 456297, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 14, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent received an Associate Degree in Nursing from Oklahoma State University Technical Institute, Oklahoma City, Oklahoma, on May 8, 1979. Respondent was licensed to practice professional nursing in the State of Texas on January 12, 1981. Respondent completed a post-graduate Nurse Practitioner program from the University of Texas Health Science Center, Dallas, Texas, on January 18, 1982. Respondent was recognized as a Women's Health Nurse Practitioner in the State of Texas on March 4, 1987. Respondent was granted Prescriptive Authority in the State of Texas on August 7, 1992.

5. Respondent's nursing employment history includes:

11/79 - 12/80	RN	Oklahoma Memorial Hospital Oklahoma City, Oklahoma
01/81 - 07/83	WHNP	Planned Parenthood Oklahoma City, Oklahoma
07/83 - 07/84	WHNP	Oklahoma Memorial Hospital Oklahoma City, Oklahoma
08/84 - 07/85	Unknown	
08/85 - 01/87	WHNP	Planned Parenthood Oklahoma City, Oklahoma
01/87 - 12/88	WHNP	Routh Street Women's Clinic Dallas, Texas
02/88 - 12/91	WHNP	OB-GYN Associates of Arlington Arlington, Texas
01/92 - 08/94	WHNP	Cross Timbers Health Center DeLeon, Texas
09/94 - 01/97	WHNP	Dublin Family Care Clinic Dublin, Texas
02/97 - Present	WHNP	Stephenville Medical & Surgical Clinic Stephenville, Texas

6. On or about March 6, 1985, Respondent's license to practice professional nursing in the State of Texas was REVOKED by the Board of Nurse Examiners for the State of Texas, Austin, Texas, based on Findings that:

- On or about July 25, 1984, Respondent's license to practice professional nursing was SUSPENDED for a period of one year by order of the Oklahoma Board of Nurse Registration and Nursing Education based on a Finding that Respondent attempted to procure a prescription drug using the name of a physician without first obtaining the physician's consent.

A copy of the Findings of Fact, Conclusions of Law and Order, dated March 6, 1985, is attached and incorporated, by reference, as part of this order.

7. On or about September 18, 1986, Respondent's license to practice professional nursing in the State of Texas was REINSTATED by the Board of Nurse Examiners for the State of Texas, Austin, Texas. A copy of the Order dated September 18, 1986 is attached and incorporated, by reference, as part of this order.

8. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Women's Health Nurse Practitioner with Stephenville Medical & Surgical Clinic, Stephenville, Texas, and had been in this position for twelve (12) years.

9. On or about February 4, 2009, while employed as a Women's Health Nurse Practitioner with Stephenville Medical and Surgical Clinic, Stephenville, Texas, Respondent failed to report the sexual assault of Patient Medical Record Number 56824-5, a minor, to a law enforcement agency and/or the Texas Department of Family and Protective Services, as required by Texas Family Code 261.101. Respondent's conduct caused delayed distress for the patient and denied officials of the State of Texas information needed to prevent further incidents of sexual assault.

10. In response to the incident in Finding of Fact Number Nine (9), Respondent states:

"On February 4, 2009, I saw a 13 year old female at Stephenville Medical & Surgical Clinic. The patient stated she was assaulted on January 22, 2009 and wanted to be checked for STDs. The patient stated that school nurse had been notified and school nurse had previously contacted police. I trusted the patient that she was telling the truth and exam was completed. I also counseled the patient on ways to avoid same situation.
The patient was seen by another provider on November 18, 2009 for Texas Health Step and it was discovered the incident was never reported.
Since then I have gone to continuing education conferences on teen sexual behavior, and reviewed protocols regarding reporting sexual abuse incidents.
I take this incident very seriously and understand that I may not rely on the actions of others to insure proper reporting."

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)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A) and 217.12(1)(A),(4)& (6)(C).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 456297, heretofore issued to RHONDA JO BURD, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL 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.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.*

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the

continuing education certificate of completion for this workshop to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following website: http://www.dads.state.tx.us/providers/Training/jointtraining.cfm or by contacting (512) 438-2201.*

(4) RESPONDENT SHALL pay a monitoring fee in the amount of five hundred dollars ($500). RESPONDENT SHALL pay this fee within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge,

if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) RESPONDENT SHALL be supervised by her delegating physician who is on the premises. The supervising physician is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising physician shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the delegating physician who supervises the

RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 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 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 21 day of April, 2010.

Rhonda Jo Burd

RHONDA JO BURD, Respondent

Sworn to and subscribed before me this 21 day of April, 2010.

SEAL

Donna Kerr

Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
Donna Dee Kerr
My Commission Expires
12/13/2011

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 21st day of April, 2010, by RHONDA JO BURD, Registered Nurse License Number 456297, and said Order is final.

Effective this 8th day of June, 2010.

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

BOARD OF NURSE EXAMINERS

FOR THE STATE OF TEXAS

MEMBERS OF THE BOARD

MRS. PAULINE BARNES, R.N.
TEXARKANA, TEXAS

DR. JEAN PRYOR, R.N.
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DR. RUBY MORRIS
MIDLAND, TEXAS

1300 E. ANDERSON LN., BLDG. C, SUITE 225
AUSTIN, TEXAS 78752 • AC 512/835-4880

MRS. MARGARET L. ROWLAND, R.N.
EXECUTIVE SECRETARY

March 8, 1985

Certified Mail No. 503 949 160
Return Receipt Requested

Rhonda Jo Burd
621 Northwest 32nd
Oklahoma City, OK 73118

Dear Ms. Burd:

Enclosed please find an Order of the Board issued as a result of your license hearing on March 6, 1985.

This is a final Order of the Board and any appeal must be taken in accordance with the provisions of Article 4525c, Revised Civil Statutes of Texas.

Sincerely yours,

Margaret Rowland

(Mrs.) Margaret L. Rowland, R.N.
Executive Secretary

MLR/vj

Enclosures

1836-1986

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BEFORE THE BOARD OF NURSE EXAMINERS
IN AND FOR THE STATE OF TEXAS
****

In the Matter of Permanent Certificate §
Number 4-56297 issued to §
RHONDA JO BURD §

ORDER OF THE BOARD

TO: Rhonda Jo Burd
621 Northwest 32nd
Oklahoma City, OK 73118

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting, having set a Hearing to be held on March 6, 1985, to determine whether cause exists under Article 4525 (a) (7), Revised Civil Statutes of Texas, to suspend or revoke License Number 4-56297, heretofore issued to RHONDA JO BURD, pursuant to Texas law, which Hearing was held on March 6, 1985, pursuant to applicable Texas law.

At the Hearing, Dr. Jean Pryor, R.N., President of the Board, presided and the following members were present:

Mrs. Pauline Barnes, R.N.
Mrs. Karen G. Barnes-Cure, R.N.
Dr. Eileen M. Jacobi, R.N.
Dr. Ruby Morris

The Board of Nurse Examiners for the State of Texas was represented by Philip Maxwell, Counsel to the Board. The Respondent was not present and was not represented by counsel, although having been notified of her rights regarding the same. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. That Sworn Complaint was filed with the Board of Nurse Examiners for the State of Texas in accordance with law.

2. That Notice of Hearing and Complaint were served upon RHONDA JO BURD in accordance with law.

3. RHONDA JO BURD, hereinafter referred to as "Respondent", holds a license to practice professional nursing in the State of Texas which is in delinquent status.

4. On or about July 25, 1984, Respondent's license to practice professional nursing was suspended for a period of one year by order of the Oklahoma Board of Nurse Registration and Nursing Education.

CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Texas Revised Civil Statutes, the Board of Nurse Examiners for the State of Texas has jurisdiction over this matter.

2. That the evidence received was conclusive to prove unprofessional or dishonorable conduct and in the opinion of the Board, is likely to deceive, defraud, or injure patients and the public.

3. That the activities of the nurse in question constituted sufficient cause pursuant to Article 4525 (a) (7), Revised Civil Statutes of Texas, as amended, to revoke license number 4-56297, heretofore issued to RHONDA JO BURD, to practice professional nursing in Texas.

ORDER

NOW, THEREFORE, IT IS ORDERED that License Number 4-56297, heretofore issued to RHONDA JO BURD to practice professional nursing in the State of Texas be and the same is hereby revoked.

IT IS FURTHER ORDERED that said license issued to RHONDA JO BURD upon receipt of this order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED AND THE BOARD SO FINDS, in accordance with Article 6252-13a, 16(c), Texas Revised Civil Statutes, that an imminent peril to the public health, safety, or welfare requires immediate effect to this Order and the same shall be effective on the date herein below rendered and the same may not be stayed except on proper application to a District Court in accordance with Article 4525c, Texas Revised Civil Statutes.

Entered this 6th day of March, 1985.

Certificate to Order of Board
In the matter of Permanent
Certificate No. 4-56297
Issued to RHONDA JO BURD

The aforementioned Findings of Fact, Conclusions of Law and Order of the Board represent a final decision or Order duly made by the Board of Nurse Examiners in and for the State of Texas this the 6th day of March, 1985.

Jean Pryor Ed.D., R.N.
President

Eunice Jacobi Ed.D., R.N.

Ruby Morris

Karen G. Barnes-Cure, R.N.

Pauline Barnes, R.N.

1836-1986

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

1300 E. ANDERSON LN., BLDG. C, SUITE 225
AUSTIN, TEXAS 78752 • AC 512/835-4880

MARGARET L. ROWLAND, R.N., M.Ed.
EXECUTIVE SECRETARY

September 22, 1986

Certified Mail No. 063 417 941
Return Receipt Requested

Rhonda Jo Burd
621 Northwest 32nd
Oklahoma City, OK 73118

Dear Ms. Burd:

Enclosed please find a formal Order of the Board issued as a result of your request for the reinstatement of your license to practice professional nursing in the State of Texas.

We are enclosing a renewal card for you to complete and return to this office along with the required fee.

Sincerely yours,

Margaret Rowland

(Mrs.) Margaret L. Rowland, R.N.
Executive Secretary

MLR/vj

Enclosures

MEMBERS OF THE BOARD

RUBY MORRIS, Ed.D.
MIDLAND, TEXAS

JEAN PRYOR, R.N., Ed.D.

A. JOANNA SEAMANS, R.N., M.S.N.
SAN ANTONIO, TEXAS

KAREN BARNES-CURE, R.N., M.S.

MARY ELIZABETH JACKSON
TYLER, TEXAS

MARY VIRGINIA JACOBS, R.N., M.S.N.

PAULINE BARNES, R.N.
TEXARKANA, TEXAS

TEDDY L. LANGFORD, R.N., Ph.D.
LUBBOCK, TEXAS

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Permanent Certificate §
Number 4-56297 issued to §
RHONDA JO BURD §

ORDER OF THE BOARD

TO: Rhonda Jo Burd
621 Northwest 32nd
Oklahoma City, OK 73118

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting on September 18, 1986, heard the application for reinstatement of license number 4-56297, heretofore issued to RHONDA JO BURD, according to Article 4525c, Revised Civil Statutes of Texas, as amended.

At the meeting, Mrs. Mary Virginia Jacobs, R.N., President of the Board, presided and the following members were present:

Mrs. Pauline Barnes, R.N.
Mrs. Karen G. Cure, R.N.
Mrs. Mary Elizabeth Jackson
Dr. Jean Pryor, R.N.
Mrs. A. Joanna Seamans, R.N.

The applicant was present at the meeting, but was not represented by counsel. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following decision.

ORDER

NOW, THEREFORE, IT IS ORDERED that license number 4-56297, heretofore issued to RHONDA JO BURD to practice professional nursing in the State of Texas be and the same is hereby reinstated upon payment of re-registration fees:

Entered this 18th day of September, 1986.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY Margaret L. Rowland
(Mrs.) Margaret L. Rowland, R.N.,
Executive Secretary on behalf of
said Board