

4. Respondent received a Baccalaureate Degree in Nursing from The University of Texas Health Science Center, Houston, Texas, on December 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on January 31, 1995. Respondent completed requirements for advanced practice recognition from The University of Texas, Galveston, Texas, on December 13, 1996. Respondent was recognized as a Family Nurse Practitioner (FNP) in the State of Texas on March 23, 1998. Respondent was granted Prescriptive Authority as a Family Nurse Practitioner by the Texas Board of Nursing on January 26, 1999.

5. Respondent's professional nursing employment history includes:

01/95 - 01/98	Unknown	
02/98 - 11/99	RN/FNP	C.J. Campbell, M.D. Houston, Texas
12/99 - 02/00	Unknown	
03/00 - 10/01	RN/FNP	Jose A. Montes, M.D. Family Practice Houston, Texas
02/01 - 05/04	RN/FNP	Lakewood Family Practice Houston, Texas
10/02 - Unknown	RN/FNP	George Murillo, M.D. Tomball, Texas
05/06 - Present	RN/FNP	Cypress Lakewood Clinic Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Family Nurse Practitioner with Cypress Lakewood Clinic, Houston, Texas, and had been in this position for one (1) year and eight (8) months.

7. On or about January 8, 2008, while employed as a Family Nurse Practitioner with Cypress Lakewood Clinic, Houston, Texas, Respondent assessed and evaluated Patient M.R., who had presented to the clinic with fever, body aches, weakness, decreased appetite, and a cough producing bloody sputum, occurring over the previous five (5) days. Respondent requested that Patient M.R. obtain a chest x-ray; however, the patient refused the chest x-ray and Respondent failed to document her refusal in the Patient M.R.'s medical record. Respondent's conduct created an inaccurate medical record and may have delayed appropriate medical care to the patient in that subsequent care givers would rely on her documentation on which to base their decisions for further care.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the patient was anxious to leave the clinic and return to her home. Respondent advised the patient to go to the emergency room if her symptoms worsened and documented this fact in the medical record. Respondent admits that she should have documented the patient's refusal of the chest x-ray in the medical record as well.

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)&(D) and 217.12(1)(A)&(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 612693, heretofore issued to JENNIFER L. CROSBY, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, 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, 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, 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 a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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>.*

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

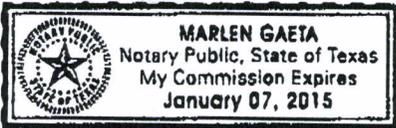
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19 day of May, 2011.

Jennifer L. Crosby
JENNIFER L. CROSBY, RESPONDENT

Sworn to and subscribed before me this 19 day of May, 2011.

SEAL



Marlen Gaeta
Notary Public in and for the State of Texas

Approved as to form and substance.

David Lunningham
David Lunningham, Attorney for Respondent

Signed this 20th day of May, 2011.

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 19th day of May, 2011, by JENNIFER L. CROSBY, Registered Nurse License Number 612693, and said Order is final.



Effective this 23rd day of May, 2011.

Katherine A. Thomas

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