

BEFORE THE TEXAS BOARD OF NURSING



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.
Katherine A. Thomas
Executive Director of the Board

In the Matter of Vocational Nurse § AGREED
License Number 171183 §
issued to BELINDA STORY GOODPASTURE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of BELINDA STORY GOODPASTURE, Vocational Nurse License Number 171183, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4528c, sec. 10(a)(2),(3)&(9), TEX. REV. CIV. STAT.(eff. date 09/01/1997). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 3, 2011, 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(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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Austin Community College, Austin, Texas, on December 10, 1998. Respondent was licensed to practice vocational nursing in the State of Texas on February 19, 1999.
5. Respondent's complete nursing employment history is unknown.
6. On or about January 28, 2009, Respondent was issued a Stipulation, Settlement, and Order by the Oklahoma Board of Nursing. A copy of the January 28, 2009, Stipulation, Settlement, and Order is attached and incorporated, by reference, as part of this Order.

7. On or about October 19, 1998, Respondent submitted an Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you ever been convicted of a misdemeanor other than a minor traffic violation?"
8. Respondent failed to disclose that on or about June 18, 1981, Respondent entered a plea of Guilty and was convicted of ACTUAL PHYSICAL CONTROL OF VEHICLE WHILE INTOXICATED (a misdemeanor offense committed on February 8, 1981), in the District Court of Garfield County, Oklahoma, under Cause No. CRM-81-105. As a result of the conviction, Respondent was sentenced to confinement in the Garfield County Jail for a period of sixty (60) days; however, the imposition of sentence of confinement was suspended, and Respondent was ordered to pay a fine and court costs.
9. Respondent failed to disclose that on or about March 8, 1983, Respondent entered a plea of Guilty and was convicted of POSSESSION OF ALTERED DRIVER'S LICENSE (a misdemeanor offense committed on January 6, 1983), in the District Court of Garfield County, Oklahoma, under Cause No. CRM-83-37. As a result of the conviction, Respondent was ordered to pay a fine and court costs.
10. On or about August 7, 1986, Respondent entered a plea of Guilty and was convicted of OBTAINING MERCHANDISE BY BOGUS CHECK (a felony offense committed on August 29, 1985), in the District Court, Garfield County, Oklahoma, under Cause No. CRF-86-3. Respondent was sentenced to confinement in the Garfield County Jail for a period of one (1) year; however, all but thirty (30) days suspended. Additionally, Respondent was ordered to pay a fine and court costs.
11. Respondent failed to disclose that on or about September 6, 1990, Respondent entered a plea of Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED (a misdemeanor offense committed on December 6, 1989), in the County Court at Law No. 6, Travis County, Texas, under Cause No. 331342. As a result of the conviction, Respondent was sentenced to confinement in the Travis County Jail for a period of thirty (30) days. In addition, Respondent's driver's license was suspended for one (1) year.
12. On or about October 19, 1998, Respondent submitted an Application for Licensure by Examination to the Board of Vocational Nurse Examiners in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you ever been convicted of a felony?"
13. On or about December 31, 1987, Respondent entered a plea of Guilty and was convicted of OBTAINING MERCHANDISE BY BOGUS CHECK (a felony offense committed on October 23, 1986), in the District Court of Garfield County, Oklahoma, under Cause No. CRF-86-563. As a result of the conviction, Respondent was sentenced to confinement in the Oklahoma Department of Corrections for a period of four (4) years; however, the imposition

of the sentence of confinement was suspended and Respondent was placed on probation for a period of four (4) years. In addition, Respondent was ordered to pay court costs.

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 Article 4528c, sec. 10(a)(2)(3)&(9), TEX. REV. CIV. STAT.(eff. date 09/01/1997), and 22 TEX. ADMIN. CODE §239.11(8)&(29) (eff. date 11/1996).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 171183, heretofore issued to BELINDA STORY GOODPASTURE, 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 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(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 pay a monetary fine in the amount of five hundred (\$500.00) dollars. RESPONDENT SHALL pay this fine 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 VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(3) 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.

(4) 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.

(5) RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse 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 nurse 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.

(6) 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 Registered Nurse or Licensed Vocational Nurse 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(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 21 day of March, 2011.

Belinda Story Goodpasture
BELINDA STORY GOODPASTURE, Respondent

Sworn to and subscribed before me this 21 day of March, 2011.

SEAL

Heather VanDeGrift
Notary Public in and for the State of OK



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 21st day of March, 2011, by BELINDA STORY GOODPASTURE, Vocational Nurse License Number 171183, and said Order is final.

Effective this 28th day of April, 2011.



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

BEFORE THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF BELINDA ANN STORY GOODPASTURE, L.P.N.
LICENSE NO. L0049769

STIPULATION, SETTLEMENT AND ORDER

This matter comes on before the Informal Disposition Panel ("Panel") of the Oklahoma Board of Nursing ("Board") on the 14th day of January, 2009, in the Conference Room of the Board Office, 2915 North Classen Boulevard, Suite 524, Oklahoma City, Oklahoma.

Lisa Griffitts, R.N., a Nurse Investigator with the Board, appears in person, and Belinda Ann Story Goodpasture, L.P.N., (hereinafter, "Respondent") appears in person with counsel, Jake Jones, III, before the Panel on this date. Respondent, Respondent's counsel, and the Nurse Investigator participated in an investigative conference on November 6, 2008, and subsequently consented to this Order.

STIPULATION

Respondent and the Panel hereby stipulate and agree to the following joint stipulation and proposed Order of the Board incorporating this stipulation and agreement in the above-styled matter.

1. Respondent is licensed to practice licensed practical nursing in the State of Oklahoma and is the holder of License No. L0049769 issued by the Oklahoma Board of Nursing.
2. Allegations were received in the Board office that on or about April 22, 2008, Respondent, while working as a staff nurse at Northern Oklahoma Resource Center (a residential facility for the mentally retarded), in Enid, Oklahoma, abandoned Resident C.W. after the Respondent was contacted by a therapist regarding a change in Resident C.W.'s physical condition.

The Respondent instructed the therapist to transport Resident C.W. to the building where the Respondent's office was located (Rose building) for a focused assessment. The Respondent left the Rose building prior to the arrival of Resident C.W. and the therapist. As the Respondent was driving away from the Rose building, the Respondent saw the therapist bringing Resident C.W. in a wheelchair to the Rose building. Thereafter, Resident C.W.'s fingerstick blood sugar was obtained with a reading of 31 (normal range is 80 – 110 mg/dl).

3. No formal complaint has been filed as of the date of this stipulation charging Respondent with a violation of the Oklahoma Nursing Practice Act. Respondent understands that Respondent has a right to require that a formal complaint be filed and the right to a formal hearing before the Board at which time Respondent could confront the witnesses against Respondent, cross-examine those witnesses, and present evidence in Respondent's own behalf. Respondent understands that by signing and agreeing to this stipulation Respondent is waiving those rights.

4. This stipulation is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of this stipulation. Furthermore, should this joint stipulation not be accepted by the Board, it is agreed that presentation to and consideration of this stipulation and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

5. Respondent fully understands that this joint stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board against Respondent for acts or omissions not specifically made a part of this stipulation.

6. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this joint stipulation of facts, conclusions of law and imposition of discipline, and the Final Order of the Board incorporating said stipulation.

7. It is expressly understood that this stipulation is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

8. This Stipulation, Settlement, and Order does constitute formal disciplinary action.

STIPULATED DISPOSITION AND ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that Respondent's license to practice licensed practical nursing in the State of Oklahoma remain in effect, and that Respondent is disciplined as follows:

1. Respondent shall, within **ninety (90) days** from the receipt of this Order, successfully complete a course on **Nursing Jurisprudence**. Respondent shall obtain Board approval of the course prior to enrollment. Home study courses, Internet and video programs will not be approved. In order for the course to be approved, the target audience must include licensed nurses. It must be a minimum of four (4) contact hours in length. The course must include an examination of the scope of nursing practice from the Oklahoma Nursing Practice Act and Rules of the Board; other laws; policies; and accreditation guidelines that govern the practice of nursing; the role of delegation and supervision; and an exploration of the ethical basis of nursing practice. Courses focusing on malpractice issues will not be accepted. The course description must indicate goals and objectives for the course; resources to be utilized; and the methods to be used to determine successful

completion of the course. Respondent shall cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

2. Respondent shall, within **ninety (90) days** from receipt of this Order, successfully complete a course on **Critical Thinking, to include moral reasoning**. Respondent shall obtain Board approval of the course prior to enrollment. Courses that exclusively include home study courses, video programs, and Internet courses will not be approved. The target audience must include licensed nurses. The course must be a minimum of eight (8) contact hours in length. The course description must indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. The course must address how nurses use critical thinking skills to make patient care decisions based on the nursing process. Respondent shall cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

4. Within **thirty (30) days** from receipt of this Order, Respondent shall pay an **administrative penalty** payable to the Oklahoma Board of Nursing in the amount of **\$500.00**. The administrative penalty shall be paid only by certified check, money order or cash.

IT IS FURTHER ORDERED that the license to practice licensed practical nursing held by Respondent is hereby **reprimanded**.

IT IS FURTHER ORDERED that any failure to comply with submission of the administrative penalty or written documentation by the due date, including but not limited to educational courses, will result in a three (3) month suspension of license. At the completion of the three month suspension, any application for reinstatement may be submitted for processing by Board

Staff for approval in accordance to the agency approval process or for referral to the Board. The terms of the previous Order will be extended for three (3) months, as applicable. Administrative penalties for any such failure to comply shall be assessed and paid prior to reinstatement by certified check, money order, or cash pursuant to statute, 59 O.S. §§ 567.8.J.1. and 2, and § 485:10-11-2(d) of the Rules promulgated by the Board.

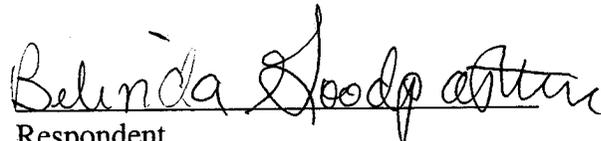
IT IS FURTHER ORDERED that the parties agree that both (all) parties have participated in the drafting of this Stipulation, Settlement and Order and that no presumption or construction against any party as the drafter of this Stipulation, Settlement and Order, shall apply or be applied in the event of a claim of ambiguity of the document or a provision thereof.

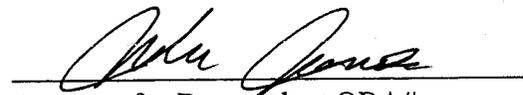
IT IS FURTHER ORDERED that this stipulation shall not be effective until the fully executed Order is received in the Board office.

IT IS FURTHER ORDERED that upon successful completion of all of the terms and conditions of this Order, no further Order of the Board shall be deemed necessary.

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IT IS FURTHER ORDERED that this Order constitutes disciplinary action by the Board and may be used in any subsequent hearings by the Board. In the event other misconduct is reported to the Board, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.


Respondent


Attorney for Respondent OBA#

Approved and ordered this 28th day of January, 2009.

OKLAHOMA BOARD OF NURSING

By: 
President

LG:tj