

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

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In the Matter of Vocational Nurse § AGREED  
License Number 183575 §  
issued to DEBORAH RENEE KAVANAUGH JONES § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of DEBORAH RENEE KAVANAUGH JONES, Vocational Nurse License Number 183575, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 29, 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(s).
2. Respondent waived 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 14, 2001. Respondent was licensed to practice vocational nursing in the State of Texas on February 14, 2002.
5. Respondent's nursing employment history includes:
 

1/2002 - 4/2002	Unknown
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Respondent's nursing employment history continued:

5/2002 - 12/2003	Staff Nurse	St. David's Healthcare Partnership Austin, Texas
12/2003 - 4/2006	Staff Nurse	Kenmar Residential Services Hutto, Texas
5/2006 - 12/2007	Unknown	
1/2008 - 4/2008	Staff Nurse	Walnut Hills Convalescent Center Austin, Texas
5/2008 - Present	Unknown	

6. At the time of the incident in Findings of Fact Numbers Seven (7), Nine (9), Eleven (11), Thirteen (13), Fifteen (15), and Seventeen (17), Respondent was employed as a staff nurse with Walnut Hills Convalescent Center, Austin, Texas, and had been in this position for three (3) months.
7. On or about March 25, 2008, through April 10, 2008, while employed as an Staff LVN with Walnut Hills Convalescent Center, Austin, Texas, Respondent falsely documented the administration of Phenobarbital 60mg tablet in Patient #26's Medication Administration Record, which she signed out on the Individual Control Drug Record, but did not administer. Respondent's conduct resulted in an inaccurate medical record which was likely to cause injury to the patient in that other caregivers would rely on the information to base further treatment and it placed the facility in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that if the medication was signed out but not administered, the cause would likely be that the patient refused to take the medication, and Respondent simply failed to indicate it in the record.
9. On or about April 4, 2008, while employed as an Staff LVN with Walnut Hills Convalescent Center, Austin, Texas, Respondent failed to assess and intervene, including notifying the physician, that Patient #835 was experiencing decreased urinary output. Respondent's conduct was likely to cause injury to the patient in that decreased urinary output may be indicative of medical conditions such as dehydration, kidney failure, hyperkalemia, metabolic acidosis, and congestive heart failure which left untreated can lead to fluid overload, pulmonary edema, cardiac dysrhythmia, cardiac failure and death.

10. In response to the incident in Finding of Fact Number Nine (9), Respondent states the urinary catheter drainage bag was left open and spilled urine on the floor. Respondent states she documented the amount of urine that remained in the bag.
11. On or about April 4, 2008, while employed as an Staff LVN with Walnut Hills Convalescent Center, Austin, Texas, Respondent falsely documented a glucometer result reading of "290" at 10:30 a.m. on Patient #835's Diabetic Flow Sheet. After Respondent had left the facility, LVN RM re-checked the glucometer to verify the results and found there was no result of "290" recorded for Patient #835 on that day. Consequently, LVN RM checked Patient #835's blood sugar levels and got a result of "441", and transported Patient #835 to the hospital to stabilize the patient's condition. Respondent's conduct resulted in an inaccurate medical record that other caregivers would rely on to base further care and treatment decisions. Additionally, Respondent conduct deprived the patient of timely medical intervention to stabilize the patient's blood sugar levels.
12. In response to the incident in Finding of Fact Number Eleven (11), Respondent states that to the best of her recollection she documented the reading on the monitor at the time she checked it.
13. On or about April 4, 2008, while employed as an LVN Staff Nurse with Walnut Hills Convalescent Center, Austin, Texas, Respondent falsely documented Patient #835's urine output as "100cc's". After Respondent had left the facility, LVN RM checked the urine output for Patient #835 and noted there was no urine in the foley collection bag. When LVN RM changed the urinary catheter, a "500cc" urine output was obtained. Respondent's conduct resulted in an inaccurate medical record that other caregivers would rely on to base further care and treatment decisions and placed the patient at risk of fluid overload and pulmonary edema.
14. In response to the incident in Finding of Fact Number Thirteen (13), Respondent states she emptied the foley collection bag and documented the amount. Additionally, Respondent states she asked the Certified Nurse Aide if she had emptied it previously and she told her she had not. Respondent states she notified the next shift of the decreased urine output.
15. On or about April 10, 2008, while employed as an LVN Staff Nurse with Walnut Hills Convalescent Center, Austin, Texas, Respondent incorrectly administered Lortab prior to leaving the facility at 10:49 a.m. to Patient #814, instead of 13:00 p.m., as ordered by the physician. Furthermore, Respondent falsely documented the administration of Lortab to Patient #814 at 13:00 p.m. in the Medication Administration Record. Respondent's conduct was likely to cause injury to the patient in that inaccurate medication administration could result in nonefficacious treatment. Additionally, Respondent's conduct was deceiving to subsequent caregivers who would rely on her documentation to provide ongoing medical care.

16. In response to the incident in Finding of Fact Number Fifteen (15), Respondent states the policy allowed for medication to be given two hours before or after the specified time, and since the medication was for pain management, Respondent would have given it at 10:49 am if the patient requested it.
17. On or about April 10, 2008, while employed as a staff nurse with Walnut Hills Convalescent Center, Austin, Texas, Respondent falsely documented that she had obtained one (1) capsule of Lyrica 50mg at 13:00pm for Resident #646 on the Individual Drug Record, which was not removed from supply, and or noted as being administered on the Medication Administration Record. Respondent's conduct resulted in inaccurate medication record on which other caregivers would base further care decisions
18. In response to the incident in Finding of Fact Number Seventeen (17), Respondent states the patient regularly refused to take the medication and she simply forgot to note it was refused on this occasion.
19. Charges were filed on June 7, 2010, and amended Charges were filed on September 8, 2010.
20. Charges were mailed to Respondent on June 7, 2010, and amended Charges were mailed to Respondent on September 8, 2010.

#### 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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(B),(1)(C),(1)(D)&(1)(M) and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(6)(A).
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 183575, heretofore issued to DEBORAH RENEE KAVANAUGH JONES, 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 FINE, 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 a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall 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 successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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>.

3) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall 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 successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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>.

4) 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>*

5) 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://learningext.com/hives/a0f6f3e8a0/summary>*

6) RESPONDENT SHALL pay a monetary fine in the amount of five hundred (\$500) 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:**

(7) 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.

(8) 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.

(9) 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.

(10) 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

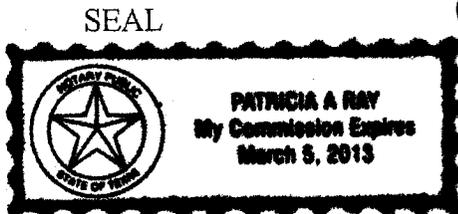
I understand that I have the right to legal counsel prior to signing this Agreed Order.

I 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 9 day of Feb., 2011.

Deborah R. Kavanagh Jones  
DEBORAH RENEE KAVANAUGH JONES, Respondent

Sworn to and subscribed before me this 9<sup>th</sup> day of Feb., 2011.



Patricia A. Ray  
Notary Public in and for the State of Texas

Approved as to form and substance.

John S. Butler  
John S. Butler, Attorney for Respondent

Signed this 9<sup>th</sup> day of Feb., 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 9<sup>th</sup> day of February, 2011, by DEBORAH RENEE KAVANAUGH JONES, Vocational Nurse License Number 183575, and said Order is final.

Effective this 8th day of March, 2011.

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

