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.
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 508657	§	
issued to JANE ANN TEAGUE	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of JANE ANN TEAGUE, Registered Nurse License Number 508657, 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 March 4, 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 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 a Diploma in Nursing from El Centro College, Dallas, Texas, on May 1, 1983. Respondent was licensed to practice professional nursing in the State of Texas on August 30,1983.

5. Respondent's professional nursing employment history includes:

08/1983 - 1984	Employment History Unknown

1984 - 1989	RN	Baylor Medical Center Ennis, Texas

Respondent's professional nursing employment history continued:

1989 - 1991	RN	Mother Francis Hospital Tyler, Texas
1991 - 05/1992	Employment History Unknown	
05/1992 - Present	RN	Mabank Independent School District Mabank, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Mabank Independent School District, Mabank, Texas, and had been in this position for fifteen (15) years and eight (8) months.

7. On or about January 18, 2008, while employed as a Registered Nurse with Mabank Independent School District, Mabank, Texas, Respondent failed to completely and accurately document her assessments and interventions while providing care for Student W.H. Respondent's conduct resulted in an inaccurate, incomplete medical record.

8. In response to Findings of Fact Number Seven (7), Respondent states: "On January 18, 2008, WH was a Life Skills student at Lakeview Elementary. He is mentally challenged, basically non-verbal. He has a history of becoming combative when agitated, yelling, hitting and running from staff. WH also had a history of coming to school groggy. The Life Skills Staff thought he was being medicated at home before coming to school. When he slept in the classroom he was not easily awaken by merely calling his name. On the morning of January 18, WH's sister stated that he was acting up at home, where he injured his ankle, and he had yelled all the way to school on the bus. WH walked into school, ate breakfast, and went to sleep at the breakfast table. The Life Skills Staff started walking him to the nurse's office, but because he appeared to have hurt his ankle and was drowsy, we took him the rest of the way in a wheelchair. I thought he had been medicated for his ankle. Plus, he was worn out from being agitated and yelling all morning. After evaluating his neurological status the best I could-in spite of the fact that he was agitated, non-verbal, and was hitting, I placed him on a cot beside my desk. I attempted to reach his mother by phone several times. I called four different phone numbers, and left messages when prompted by voice mail. I repeatedly called the home phone in an attempt to verify whether he had been medicated for pain. I felt he was too sleepy to get anything out of school, and needed to go home. WH was on a cot, inches from my desk. At no time did I believe that he was unconscious or in a need of emergency care. He had a history of being hard to awaken. When I did awaken him, I had to shake him in addition to calling his name. He had no other illness, such as seizures or diabetes. I monitored his breathing, his color and movements. I also cared for other students during this time. At around 11:00 am, WH's paternal grandmother came to pick him up. I explained his possible ankle injury and his drowsiness and recommended that he see a

doctor. WH was awakened by shaking and calling his name. When he woke, he was calm, in a good mood, and cooperative. An aide walked with WH and his grandmother to the car."

9. On or about April 13, 2009, while employed with Mabank Independent School District, Mabank, Texas, Respondent exceeded her scope of practice as a Registered Nurse, in that she preformed a visual sexual abuse examination on the student without having received SANE (Sexual Abuse Nurse Examiner) training. Respondent's conduct was likely to injure the student by exposing the student unnecessarily to emotional and/or psychological harm.

10. In response to Finding of Fact Number Thirteen (13), Respondent states: "On April 13, 2009, a five year old female was sent to my office. The note said 'private area?' This left me somewhat perplexed and after a few questions, I looked at her private area, but only after I asked the secretary and the assistant principal, if someone would be a witness when I checked her for any signs or symptoms of injury. The counselor was present during the short visual exam. The girl divulged to me at that time that her brother had been touching her again and that there was an alarm on her brothers bedroom door at home. This would make me a potential 'outcry witness' and hence, a threat to any would be perpetrator. I did not touch her private area at all. I remember seeing her in the office with a CPS worker a few weeks earlier. CPS was called within 30 minutes of the student entering my office. CPS called me back an hour later. I informed them of the whole situation and what the student had said. CPS asked if I had contacted the parents, and I advised that I had not. Later, I had a note to call the mother of the student, to explain the nurse's note that was sent home. She became very upset and stated that she was going to lose her kids. I explained to her that legally I had to call CPS. At no campus, that I know of, does MISD have parents sign for permission to treat the kids other than in cases of emergency, in which a standard form is used."

11. Formal Charges were filed on December 11, 2009.

12. Formal Charges were mailed to Respondent on December 15, 2009 .

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)(B),(D)&(T). and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(6)(C)&(D).

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 508657, heretofore issued to JANE ANN TEAGUE, 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 REPRIMAND 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 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.*

(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. *Information regarding this workshop may be found at the following web address: http://www.learningext.com/products/generalce/critical/ctabout.asp.*

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 TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION

PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) 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:

(4) 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.

(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)Should RESPONDENT choose to work in the area of home health nursing, RESPONDENT'S practice of professional nursing will be monitored for one (1) year by a licensed Registered Nurse Consultant proficient in the area of home health nursing approved by the Board. RESPONDENT MUST, within ten (10) days of employment in the area of home health nursing, provide a list of three (3) RN's for the Board to select; the list should include the name, RN license

number, educational experience and work experience of each proposed Registered Nurse Consultant. Monitoring shall commence no later than thirty (30) days following the date of Respondent's receipt of the name of the monitor selected by the Board. The monitor must identify and document individualized goals and objectives, resources to be utilized, and the methods to be used to determine successful completion of the monitoring period relative to the violations identified in this Order. RESPONDENT SHALL meet with the monitor at least twice a month, for a minimum of one (1) hour each session. RESPONDENT SHALL ensure that the monitor submits reports addressing Respondent's progress toward achievement of the identified monitoring goals and objectives to the office of the Board at the end of each three (3) month period for the one (1) year stipulation/probation period. Meetings may be longer and more frequent if the monitor determines necessary. If either improvement of documentation and/or physical assessment skills is a goal or objective of the monitoring, RESPONDENT SHALL perform assessments on and document assessment findings for live patients. Performing assessments on and documenting findings for mock patients or mannequins WILL NOT be accepted. Multiple employers are prohibited.

(7) RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(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 employer and submitted to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

Nothing in this Order should be construed to preclude Respondent from advancing her nursing skills by taking any course(s) in wound care treatment or practicing in that field upon completion of an appropriate course in that area.

RESPONDENT shall be eligible to petition the Board for an exception to the above stipulations after successfully completing at least one (1) year of the above stipulations. The RESPONDENT shall have the burden to demonstrate full compliance with the terms of the Order, and to demonstrate good professional character.

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.

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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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 26 day of January, 2011.

Jane Ann Teague

JANE ANN TEAGUE, Respondent

Sworn to and subscribed before me this 26th day of January, 2011.

SEAL

Sandra Golden

SANDRA ANN GOLDEN
Notary Public, State of Texas
My Commission Exp. 09-08-2011

Notary Public in and for the State of Texas

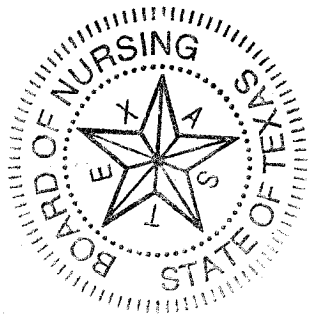
Approved as to form and substance.

Mark W. Robinett

Mark W. Robinett, Attorney for Respondent

Signed this 31st day of January, 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 26th day of January, 2011, by JANE ANN TEAGUE, Registered Nurse License Number 508657, and said Order is final.

Effective this 8th day of March, 2011.

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