



5. Respondent's nursing employment history includes:

10/1994 - 01/1995		Unknown
02/1995 - 07/2000	LVN Staff Nurse	Hendrick Medical Center Abilene, Texas
08/2000 - 07/2003	LVN Staff Nurse	Abilene State School Abilene, Texas
08/2003 - 03/2004	LVN ER Nurse	Stamford Memorial Hospital Stamford, Texas
04/2004 - 03/2006	LVN Staff Nurse	Providence Park Waco, Texas
04/2006 - 06/2006	LVN-Pediatric	Interim Health Care Waco, Texas
07/2006 - 02/2009	LVN Staff Nurse	Hendrick Extended Care Abilene, Texas
03/2009 - 06/2009		Unemployed
07/2009 - Present	LVN Staff Nurse	OMV/Nurses Etc. San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Hendrick Extended Care, Abilene, Texas, and had been in this position for two (2) years and five (5) months.
7. On or about December 30, 2008, while employed with Hendrick Extended Care, Abilene, Texas, Respondent erroneously administered another patient's medications to dialysis Patient Medical Record Number 416991, which caused the patient's blood sugar to drop to a dangerously low level. As a result, the patient required extended intervention and monitoring in order to stabilize his blood sugar. Respondent's conduct exposed the patient to a risk of harm from adverse reactions to low blood sugar.
8. On or about February 2, 2009, while employed with Hendrick Extended Care, Abilene, Texas, Respondent failed to appropriately administer Vancomycin via an infusion pump to Patient Medical Record Number 501737. The oncoming nurse found that the medication had not been connected correctly and had infused onto the floor. Respondent's conduct exposed the patient to risk of harm in that treatment for infection was delayed..

9. On or about February 2, 2009, while employed with Hendrick Medical Center, Abilene, Texas, Respondent failed to document that she did not administer Vancomycin to Patient Medical Record Number 501737. Respondent's conduct resulted in an inaccurate medical record which resulted in subsequent care givers not having correct information to use in making care decisions.
10. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight(8), Respondent states that, regarding the dialysis patient, "I failed to ask patient name or look at patient identification band. I called patient by his name, he did answer and I made the most horrific mistake I could have made." Respondent states this was the first day she had cared for the patient, it was very busy, and she had a transporter waiting to take the patient to dialysis. Respondent states that she self reported the error as soon as she realized it had happened. Regarding the Vancomycin, Respondent states that she did not administer the Vancomycin because the patient was receiving a blood transfusion at that time and the transfusion was to be administered before the Vancomycin. Respondent acknowledges that she did not document on the Medication Administration Record or in the Nurses Notes that she did not administer the Vancomycin because of the ongoing blood transfusion.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(A),(1)(B),(1)(C),(1)(D)&(2)(A) and 217.12(1)(A),(1)(B)&(4).
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 150060, heretofore issued to LINDA KAY JOHNSON, including revocation of Respondent's license to practice vocational 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) On February 26, 2010, Respondent successfully completed a nursing jurisprudence course entitled "Protecting Your Patients and Your Practice", presented by the Texas Board of Nursing which would have been a requirement in this order.

(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 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>.

(4) Respondent submitted verification of her successful completion of the Board approved course "Sharpening Critical Thinking Skills" dated September 21, 2010, through September 25, 2010, which would have been a requirement in this order.

**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 A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE 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 A VOCATIONAL NURSE (LVN) 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 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). The 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. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited. However, RESPONDENT may continue her employment with Nurse's/Etc. Staffing, a nurse registry, provided that Respondent continues her assignment at the Brooke Army Medical Center.

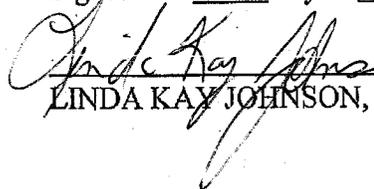
(8) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period 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.

RESPONDENT'S CERTIFICATION

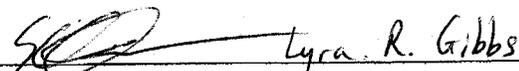
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, in accordance with Tex. Occ. Code 301.463, to settle this matter and avoid the uncertainty of trial. 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 may 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.

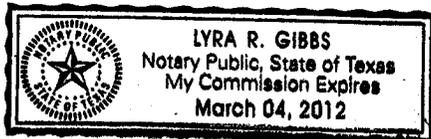
Signed this 19 day of November, 2010.

  
LINDA KAY JOHNSON, Respondent

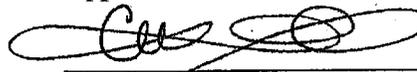
Sworn to and subscribed before me this 19 day of November, 2010.

SEAL

  
Notary Public in and for the State of Texas



Approved as to form and substance.

  
Elizabeth L. Higginbotham, Attorney for Respondent

Signed this 10<sup>th</sup> day of November, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 19th day of November, 2010, by LINDA KAY JOHNSON, Vocational Nurse License Number 150060, and said Order is final.

Effective this 27th day of January, 2011.

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