BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 164655	§	
issued to RICKY LEE BRADFIELD	§	ORDER

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

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of RICKY LEE BRADFIELD, Vocational Nurse License Number 1646 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 3, 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 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 Panola Junior College, Cartage, Texas, on August 22, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on October 1, 1997.

5. Respondent's nursing employment history includes:

10/1997 - 08/1999	Staff Nurse	Marshall Regional Medical Center Marshall, Texas
08/1999 - 09/2001	Staff Nurse	LifeCare Hospital of Shreveport Shreveport, Louisiana

Respondent's nursing employment history includes:

08/1999 - 02/2005	Staff Relief Nurse	Priority Staffing, Inc. Shreveport, Louisiana
10/2001 - 11/2004	Staff Nurse	Christus Schumpert Health System Shreveport, Louisiana
11/2004 - 02/2005	Staff Relief Nurse	Nurse Corps, Inc. Shreveport, Louisiana
02/2005 - 03/2005	Staff Nurse	Brentwood Hospital Shreveport, Louisiana
03/2005 - 07/2006	Staff Nurse	Glen Oaks Hospital Shreveport, Louisiana
07/2006 - 09/2006	Staff Nurse	Greenville Health and Rehabilitation Greenville, Texas
10/2006 - 11/2007	Staff Relief Nurse	Preferred Medical Staffing, Inc. Mesquite, Texas
04/2007 - 09/2007	Hospice Nurse	Acappello In Home Care Dallas, Texas
10/2007 - 12/2007	Charge Nurse	Rockwall Nursing Care Center Garland, Texas
12/2007 - 03/2008	Charge Nurse	Settler's Ridge Care Center Celina, Texas
03/2008 - 06/2008	Charge Nurse	Texoma Health Care Sherman, Texas
06/2008 - 10/2008	Home Health Nurse	Grayson County Home Health Sherman, Texas
09/2008 - 01/2009	Staff Nurse	Wilson N. Jones Medical Center Sherman, Texas
02/2009 - 03/2009	Unknown	
04/2009 - 07/2009	Home Health Nurse	Angels of Care Pediatric Home Health Sherman, Texas
08/2009 - Present	Unknown	

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Home Health Nurse with Angels of Care Pediatric Home Health, Sherman, Texas, and had been in this position for two (2) months.

7. On or about June 24, 2009, while employed as a Home Health Nurse with Angels of Care Pediatric Home Health, Sherman, Texas, Respondent failed to appropriately and timely intervene while caring for Patient Number AN0693, who had a rare seizure disorder in which multiple, recurrent tonic seizures were triggered if he became too hot or his body temperature became elevated. The patient had a history of respiratory distress during seizure activity. The physician instructed that the patient's body temperature was to remains within normal limits, and included an order for the provision of air conditioning during transportation to help keep the patient's body temperature from rising. The mobile home was very hot because the air conditioner was not working and was not repaired until the early evening. While the occupational therapist visited, Respondent attempted to enter the patient's grandfather's house, as instructed by the patient's mother; however, the house was locked and Respondent didn't inform the patient's mother, who could have told him the location of the extra key that was in her house. Consequently, the patient stayed in the heat all day. Respondent also failed to completely document his assessments and interventions in the medical record of the patient. Respondent's conduct unnecessarily placed the patient at risk of harm from seizures and resulted in an incomplete medical record.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that when he arrived at the patient's home, the inside temperature was 86 degrees, he noted that the air conditioner was not working so he notified the patient's mother, who arranged to have the air conditioner fixed. Respondent explains that the repair crew was unable to repair the unit and left to obtain needed parts. According to Respondent, the patient's mother instructed him to use his judgment, and if he believed the environment to be a danger to the patient to take him to her father's house; however, the father's house was locked. Respondent states that he does not believe that his failure to take the patient over to the father's house led to imminent danger to the health of the patient. Respondent states that in hindsight, he should have notified the agency when the repair crew left the premises in the afternoon to get parts. Respondent states that the patient's temperature was 97 degrees shortly before the visit by the occupational therapist at 1500 hours, and when the patient's mother arrived home at 1730 hours, the patient's temperature was 98 degrees. Respondent contends that the high outside temperature for that day was 102 degrees, but the temperature inside the mobile home was 88 degrees upon his departure. Respondent concludes that he did everything he could to keep the patient cool by keeping him under a ceiling fan and periodically placing him in a bathtub of tepid/cool water, and that he observed no seizure activity during the shift.

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),(1)(B),(1)(D),(1)(M)(1)(P)&(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 164655, heretofore issued to RICKY LEE BRADFIELD, 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 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 <u>not</u> 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. *Information regarding Board-approved courses in Texas Nursing Jurisprudence may be found at the Board's website 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 an online course, home study program or workshop in Assessment of Seizures. The course shall be a minimum of two (2) hours in length. 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 an acceptable online program may be found at the following web address: http://www.nursingcenter.com/library/JournalArticle.asp?Article_ID=738047.*

(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 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.*

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:

(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). 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.

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

Signed this 23rd day of Dec, 2010.

Ricky L Bradfield

RICKY LEE BRADFIELD, Respondent

Sworn to and subscribed before me this 23 day of December, 2010.

SEAL

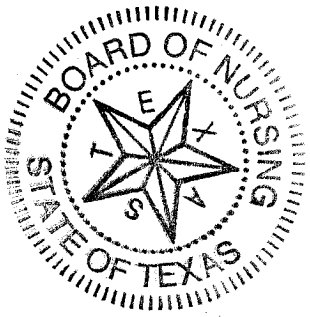
Amanda D. Harris

Notary Public in and for the State of Texas

AMANDA D. HARRIS
Notary Public
STATE OF TEXAS
My Comm. Exp. 05-29-2012

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 23rd day of December, 2010, by RICKY LEE BRADFIELD, Vocational Nurse License Number 164655, and said Order is final.

Effective this 27th day of January, 2011.



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