



Respondent's nursing employment history continued:

03/1983 - 05/1988	Charge Nurse	South Arlington Medical Center Arlington, Texas
06/1987 - 1988	Charge Nurse	Hugley Hospital Unknown
02/1988 - 11/1990	Case Manager	Kimberly Home Health Dallas, Texas
12/1990 - 05/1992	Clinical Director	Osteopathic Medical Center of Texas Fort Worth, Texas
06/1992 - 10/1992	Nurse Consultant	Geriatric Health Ventures Unknown
11/1992 - 12/1995	Clinical Operations Specialist	Cornerstone Health Management Dallas, Texas
01/1996		Unknown
02/1996 - 05/1998	Director of Nursing	Quality Care Home Health / Main'e Home Health Services Unknown
06/1998 - 07/1999	Director of Nursing	Sure Home Health Services Dallas, Texas
08/1999 - 12/2000	Owner / Administrator	TLC Residential Group Home Unknown
01/2001 - 10/2001	RN Case Manager	Lion Hospice Dallas, Texas
11/2001 - 05/2009	Triage RN	Odyssey Home Health Dallas, Texas
06/2009 - Present	On Call RN	Hospice Compassus Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Triage RN with Odyssey Home Health, Dallas, Texas, and had been in this position for six (6) years and nine (9) months.

7. On or about August 27, 2008, while employed with Odyssey Healthcare of North Texas, Dallas, Texas, Respondent failed to confirm that Patient Number 277472 was currently a patient with the agency when the patient's daughter called Respondent, upset and crying, and requested medications for her mother. Respondent ordered the medications and had them delivered to her home. Patient Number 277472 had not been a patient with the agency since April 17, 2008, and reportedly had died on April 18, 2008. Respondent's conduct resulted in the erroneous dispensing and delivery of medications to the daughter of the deceased patient, for whom the medications were not prescribed.
8. On or about September 24, 2008, through September 25, 2008, while employed as the Triage Nurse with Odyssey Healthcare of North Texas, Dallas, Texas, Respondent failed to assess and intervene after having been notified of a change in the status of Resident Number 86146, a report which included that the resident had very low blood pressures and his oxygen saturation level "keeps going down." Respondent's conduct was likely to injure the resident from delayed treatment and contributed to the resident unnecessarily suffering.
9. On or about October 2, 2008, while employed with Odyssey Healthcare of North Texas, Dallas, Texas, Respondent did not make a nursing visit to assess and intervene when she received a phone call from the agency answering service notifying her of a change in the status of Resident Number 39930 and that the resident had an elevated temperature of 100.2. The assisted living facility requested Respondent to make a nursing visit in order to administer a suppository to address the elevated temperature. Instead of going to the facility to assess and intervene, Respondent requested that the resident's elderly wife insert the suppository to treat the elevated temperature. The resident's wife declined to administer the suppository, and Respondent made the visit. Respondent's conduct may have resulted in a delay of assessment and treatment, and in prolonged discomfort and suffering by the resident.
10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states she believed that Patient Number 277472 was currently a patient with the agency and that she did fail to confirm the patient's status on the roster. Respondent asserts that she received a call from a "very distraught woman" who identified herself as the daughter of the patient, who stated that her mother urgently needed prescriptions refilled that night. Respondent called in the prescription numbers to the pharmacy to be refilled. Pharmacy staff then called the Odyssey Support Desk because the medications had not been filled since April 2008, and the medications were not currently in active status. Staff at the Odyssey Support Desk reactivated the file, in error, so that the medications could be dispensed, according to Respondent. Odyssey had failed to notify the Pharmacy in April 2008, that the patient had been discharged. As a result of multiple system errors the medications were dispensed and delivered, in error, to the former Patient's daughter. Regarding Resident Number 86146, Respondent states that "The patient was in a Nursing Home. I attempted to return the calls placed by nursing home staff. I made repeated phone calls which were not answered. It is my understanding that the patient was put back to bed, oxygen was applied and the problem solved." In regards to Resident Number 39930, Respondent states "I did ask the Aide to ask the wife, who was already present at the facility, if she was willing to give the suppository to prevent the temperature from rising. She stated she was not, and I, the Triage Nurse, made the visit."

### 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)(M),(1)(S)&(3) 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 Registered Nurse License Number 249118, heretofore issued to JUANITA K. HENNECK, 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 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) RESPONDENT submitted verification of her successful completion of the Board approved course "Ethics and Jurisprudence" dated September 23, 2009, which would have been

required under this order.

(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://ncsbn.hivelive.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 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 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) 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.

(7) RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency, with the exception of Respondent's current employment as a Field Nurse with Hospice Compassus, Dallas, Texas. Should Respondent's employment as a Field Nurse with Hospice Compassus, Dallas, Texas, cease or change, 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, nor shall RESPONDENT work in a triage capacity. 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 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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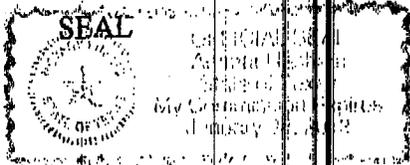
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30<sup>th</sup> day of December, 2010.

Juanita K. Henneck  
JUANITA K. HENNECK, Respondent

Sworn to and subscribed before me this 30<sup>th</sup> day of December, 2010.



[Signature]  
Notary Public in and for the State of Texas

Approved as to form <sup>new</sup> and substance.

Nancy Roper Willson  
Nancy Roper Willson, Attorney for Respondent

Signed this 4<sup>th</sup> 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 30th day of December, 2010, by JUANITA K. HENNECK, Registered Nurse License Number 249118, and said Order is final.

Effective this 8th day of February, 2011.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas". The signature is written in a cursive style and is positioned above a horizontal line.

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