

BEFORE THE TEXAS BOARD OF NURSING



In the Matter of Registered Nurse § AGREED
License Number 583004, issue to §
SANDRA DIANE JACKSON § ORDER

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

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SANDRA DIANE JACKSON, Registered Nurse License Number 583 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 December 28, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

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 professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas on May 1, 1992. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1992.
5. Respondent's professional nursing employment history includes:

1992 - 1995	Charge Nurse	Dan C. Trigg Memorial Hospital Tucumcari, New Mexico
1995 - 200	Field RN/Supervisor	Home Health Agency Tucumcari, New Mexico

Respondent's professional nursing employment history continued:

2000	Charge Nurse	Texas Department of Corrections Dalhart, Texas
2000 - 2003	Director of Nursing	Van Ark Care Center Tucumcari, New Mexico
2003 - 2004	Director of Nursing	Mountain View Care Center Colorado Springs, Colorado
2006 - 09/08	Director of Nursing/ Infection Control Nurse	Palo Duro Nursing and Rehabilitation Amarillo, Texas
01/08 - 09/08	Director of Nursing/ Infection Control Nurse	Kirkland Court Health and Rehabilitation Amarillo, Texas
09/08 - 7/09	Director of Nursing	Texan Nursing and Rehabilitation of Amarillo, LLC, Amarillo, Texas
08/09 - Present	Unknown	

6. At the time of the incident, Respondent was employed as Director of Nursing with Texan Nursing and Rehabilitation of Amarillo, LLP, Amarillo, Texas, and had been in this position for one (1) day.
7. On or about September 30, 2008, while employed as Director of Nursing with Texan Nursing and Rehabilitation of Amarillo, LLC, Amarillo, Texas, Respondent made a false entry in the medical records for Patient BC in that Respondent back dated the Consent for Psychoactive Medication Therapy Form for July 13, 2008 and signed it, however Respondent was not employed with the agency until September 30, 2008. Respondent's conduct resulted in an inaccurate medical record and was likely to deceive subsequent care givers who relied on the accuracy of the information while providing care to the patient.
8. In response to Finding of Fact Number Seven (7), Respondent states that she made a technical administrative error while improving the information available to residents under her care. When she started to work at Texan Nursing and Rehab there were many issues that were a concern with state regulators. A re-inspection was expected and she was hired, in part, to ensure the facility would be in compliance with requirements. One issue in particular, the Psychoactive Medication Consent Forms, which needed updating. She conducted an audit of all the charts to identify who was receiving psychoactive medications. She found sixty-three charts needing the new forms. On the particular chart in question, she transcribed the information from the old form to the new one, inadvertently using the old date of July 13, 2008 onto the new form. There was no unscrupulous or deceitful motive in her actions and it did not affect or alter any resident care. The signatures on the revised forms are those of the resident or responsible party and the staff member obtaining permission, but in the rush of preparing for another inspection, she misdated the form.

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)&(D) and 217.12(1)(A),(B) &(C).
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 583004, heretofore issued to SANDRA DIANE JACKSON, including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanctions of REMEDIAL EDUCATION AND A 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(s) is/are 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 State of Texas 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 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>.

(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://learningext.com/hives/a0f6f3e8a0/summary>.

(4) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250). 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, 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 violation 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 when this Order becomes final and the terms of this Order become effective, 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 14th day of January, 2011.

Sandra Diane Jackson
SANDRA DIANE JACKSON Respondent

Sworn to and subscribed before me this 14th day of January, 2011.

SEAL



Jennifer Megan Comingore
Notary Public in and for the State of Texas

Approved as to form and substance.

Glen Sanborn
Glen Sanborn, Attorney for Respondent

Signed this 14th day of JANUARY, 2011.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 14th day of January, 2011, by SANDRA DIANE JACKSON, Registered Nurse License Number 583004, and said Order is final.



Effective this 20th day of January, 2011.

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