



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 664931 §
issued to LAINE MARIE NEUMANN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of LAINE MARIE NEUMANN, Registered Nurse License Number 664931, 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 December 31, 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 representation by counsel, 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 Our Lady of the Lake School of Nursing, Baton Rouge, Louisiana on December 1, 1963. Respondent was licensed to practice professional nursing in the State of Texas on November 9, 1999.
5. Respondent's nursing employment history includes:

1964 - 1965	Staff Nurse	Oschner's Foundation Hospital Metairie, Louisiana
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Respondent's nursing employment history continued:

1965 - 1966	Staff Nurse	Mahorner Clinic New Orleans, Louisiana
1966 - 1967	Staff Nurse	Our Lady of the Lake Hospital Baton Rouge, Louisiana
1967 - 1970	Staff Nurse	St. Mary's Hospital San Francisco, California
1970 - 1972	Staff Nurse	James Diestal, Internal Medicine San Francisco, California
1972 - 1974	Staff Nurse	Our Lady of the Lake Hospital Baton Rouge, Louisiana
1974 - 1981	Staff Nurse	Doctor's Memorial Hospital Baton Rouge, Louisiana
1981 - 1984	Charge Nurse	Baton Rouge General Hospital Baton Rouge, Louisiana
1984 - 1988	Float Nurse	Wall Medical Group San Francisco, California
1988 - 1995	Office Nurse	Christopher Hudlin Jr. General and Thoracic Surgery Stockton, California
1995 - 1999	Staff Nurse	San Joaquin General Hospital French Camp, California
2000 - Present	Staff Nurse Circulator	John P. Kord, MD Arlington, Texas

6. At the time of the incidents in Findings of Fact Numbers Seven (7) and Nine (9), Respondent was employed as a Staff Nurse with Same Day Surgicare, Arlington, Texas, and had been in this position for three (3) years and seven (7) months.

7. On or about January 6, 2009, while employed as a staff nurse with Same Day Surgicare, Arlington, Texas, Respondent had knowledge that unlicensed personnel were administering pre-operative medicated eye drops to patients in the pre-operative reception area without Registered Nurse (RN) supervision. Respondent's conduct resulted in patients receiving pre-operative medicated eye drops by unlicensed personnel in violation of Texas Department of Health Services regulations.
8. In response to the incidents in Finding of Fact Number Seven (7), Respondent states it was the standard of care for the patients to receive medicated eye drops in the reception area when she was hired. Additionally, Respondent states it was in the Day Surgery Clerk's job description that she would administer eye drops under direction of an RN, and was unaware they were not in compliance with Medicare until the day the administrator was notified. Respondent states she did not delegate the administration of the medicated eye drops to anyone and since it was the policy when she was hired, she didn't report it to anyone.
9. On or about January 6, 2009, while employed as a staff nurse with Same Day Surgicare, Arlington, Texas, Respondent signed medical records for Patient's MR#2569, MR#2487, MR#2570, MR#2582, MR#2527, MR#2532, Patient JF, and Patient BO, documenting the administration of three sets of eye drops by herself when in fact one set had been administered by unlicensed personnel to patients in the pre-operative reception area. Respondent's conduct resulted in an inaccurate medical records which subsequent care givers would rely upon to provide further patient medical care.
10. In response to the incidents in Finding of Fact Number Nine (9), Respondent states she signed for the medicated eye drops administered by the unlicensed waiting area personnel since it was the practice at the time she was hired.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D)&(1)(N) and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(6)(A).
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 664931, heretofore issued to LAINE MARIE NEUMANN, 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 sanction of REMEDIAL EDUCATION WITH 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 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 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 five hundred dollars (\$500.00). 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 to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

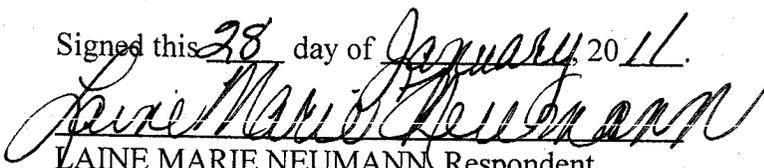
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RESPONDENT'S CERTIFICATION

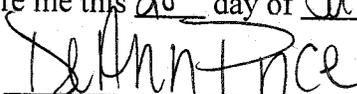
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 28 day of January, 2011.

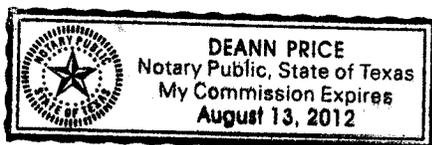

LAINE MARIE NEUMANN, Respondent

Sworn to and subscribed before me this 28th day of January, 2011.

SEAL

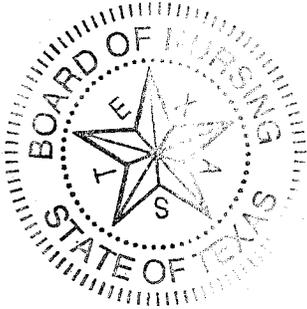


Notary Public in and for the State of Texas



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 28th day of January, 2011, by LAINE MARIE NEUMANN, Registered Nurse License Number 664931, and said Order is final.

Effective this 1st day of February, 2011.



Katherine A. Thomas

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