BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 719650	§	
issued to NORMA JEAN LUEVANE	§	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 NORMA JEAN LUEVANE, Registered Nurse License Number 719650, 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 1, 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.

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 Baccalaureate Degree in Nursing from Creighton University, Omaha, Nebraska, on August 13, 2004. Respondent was licensed to practice professional nursing in the State of Texas on August 1, 2005.

5. Respondent's nursing employment history includes:

08/2005 - 07/2008	Charge Nurse	Sunrise Canyon Hospital Lubbock, Texas

Respondent's nursing employment history continued:

08/2008 - 10/2008	Charge Nurse	Trust Point Hospital Lubbock, Texas
Unknown	Charge Nurse	Sunrise Canyon Hospital Lubbock, Texas

6. At the time of the initial incident, Respondent was employed as a Charge Nurse with Trust Point Hospital, Lubbock, Texas, and had been in this position for two (2) months.

7. On or about October 5, 2008, through October 8, 2008, while employed at Trust Point Hospital - Behavioral Health Unit, Lubbock, Texas, Respondent failed to document the initial assessment of Patient 000144, as required within an initial 8 hour time frame. Respondent's conduct resulted in an incomplete medical record with potential for injury in that subsequent care givers would not have complete information upon which to base their care decisions.

8. On or about October 8, 2008, while employed at Trust Point Hospital - Behavioral Health Unit, Lubbock, Texas, Respondent failed to timely document the initial assessment of Patient Ms. H., as required within an initial 8 hour time frame. The patient's initial admission assessment was not completed until the next morning, more than 13 hours after admission. Respondent's conduct resulted in an incomplete medical record with potential for injury in that subsequent care givers would not have complete/timely information upon which to base their care decisions.

9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), regarding failing to document an assessment of Patient 000144, Respondent states that:
   - The patient was extremely delirious at time of admission and was not able to comprehend or respond to questioning;
   - She did not complete the paper assessment because of his condition on admission and felt that any information obtained would be unreliable;
   - The physician evaluated the patient and stated the patient did not belong on this unit because of his delirium;
   - A Licensed Vocational Nurse cared for this patient during the night;
   - During the time that she was on duty, she physically assessed the patient and he was not having any respiratory problems; and
   - The Registered Nurse reported to Respondent on October 5, 2008, that the patient had aspirated at breakfast and at lunch and had been transferred to acute care.

   Regarding the failure to document an assessment of Patient Ms. H. within eight (8) hours of admission, Respondent states that:
   - At change of shift the Registered Nurse reported to Respondent that "She did not have anything to report on Ms. H;"
   - The "patient's name was still in blue on the panda board. When a patient is expected but not yet admitted to the unit the name of the patient is in blue. After admission

the name is on the board in black." Respondent was not aware at that time that the patient had arrived and had been admitted to the hospital;

- That night she had 3 admissions, 5 total patients to care for, and was the Charge Nurse;
- She completed the paperwork on 2 admissions, but "Ms. H's paper assessment was not completed within the 8 hour time limit."
- She completed the assessment paperwork prior to leaving work that morning.

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)&(3)(A), and 217.12(1)(A),(1)(B)&(1)(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 719650, heretofore issued to NORMA JEAN LUEVANE, 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, 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.*

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

Signed this 16th day of December, 2010.

Norma Jean Luevane RN, BSN

NORMA JEAN LUEVANE, Respondent

Sworn to and subscribed before me this 16th day of December, 2010.

SEAL MYRNA R. PARSONS MY COMMISSION EXPIRES July 20, 2012

Myrna R. Parsons

Notary Public in and for the State of 7-12-10

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 16th day of December, 2010, by NORMA JEAN LUEVANE, Registered Nurse License Number 719650, and said Order is final.

Effective this 29th day of December, 2010.

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