BEFORE THE TEXAS BOARD OF NURSING

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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

In the Matter of Vocational Nurse	§	AGREED
License Number 132119	§	
issued to BARBARA JEAN KNIGHT	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of BARBARA JEAN KNIGHT, Vocational Nurse License Number 13211., 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 September 22, 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(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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Temple Junior College, Temple, Texas, on December 19, 1990. Respondent was licensed to practice vocational nursing in the State of Texas on May 30, 1991.

5. Respondent's nursing employment history includes:

03/1991-04/1995	Charge Nurse	Tutor Nursing Home Temple, Texas

Respondent's nursing employment history continued:

05/1995-10/1995	Charge Nurse	Veterans Hospital Temple, Texas
10-1995-11/1997	Charge Nurse	Kings Daughters Hospital Temple, Texas
11/1997-04/1998	Charge Nurse	Temple Meridian Temple, Texas
04/1998-07/1999	Charge Nurse	Park Place Manor Belton, Texas
8/1999 - 1/2000	Unknown	
02/2000-10/2001	Charge Nurse	Chatham Nursing Home Savannah, Georgia
10/2001-11/2002	Charge Nurse	Coastal Manor Nursing Home Ludowici, Georgia
12/2002 - 12/2003	Unknown	
01/2004-03/2005	Charge Nurse	Kindred Hospital Houston, Texas
03/2005-6/2005	Charge Nurse	Park Place Manor Belton, Texas
6/2005-10/2005	Charge Nurse	Texas State Veterans Temple, Texas
11/2005-12/2006	Staff Nurse	Scott &White Temple, Texas
12/2006-5/2007	Agency Nurse	Crdentia Nursing Temple, Texas
6/2007-10/2008	Staff Nurse	Shannon's Home Health Temple, Texas
10/2008-7/2009	Staff Nurse	Belton Family Medicine Belton, Texas
7/2009-present	Agency Nurse	Shannon's Home Health Temple, Texas

6. At the time of the initial incident, Respondent was employed as a licensed vocational nurse with Scott &White Clinic, Belton, Texas, and had been in this position for approximately eight (8) months.

7. On or about June 6, 2009, while employed as a licensed vocational nurse with Scott & White Clinic, Belton, Texas, Respondent misappropriated "Diphtheria/Tetanus/Pertussis Vaccine", "Hepatitis A Vaccine," "Human Papilloma Virus Vaccine," "Meningococcal Conjugate Vaccine, " and "Varicella Vaccine" belonging to said facility thereof. Respondent's conduct was likely to defraud Scott & White Clinic of the cost of the vaccines.

8. On or about June 6, 2009, while employed with Scott & White Clinic, Belton, Texas, Respondent exceeded her scope of practice as a vocational nurse in that she administered "Diphtheria/Tetanus/Pertussis Vaccine", "Hepatitis A Vaccine," "Human Papilloma Virus Vaccine," "Meningococcal Conjugate Vaccine, " and "Varicella Vaccine" to Patient MR#349623, her grandchild, without a physician's order. Respondent lacked the educational preparation, experience and knowledge to administer these vaccines without medical consultation, which placed her grandchild at risk of experiencing adverse reactions or contraindications.

9. On or about June 6, 2009, while employed as a licensed vocational nurse with Scott & White Clinic, Belton, Texas, Respondent failed to completely and accurately document the administration of vaccines to Patient MR#3496823 in that she failed to document the Injection Site, Manufacturer, Lot Number, and Incident (adverse reactions). Instead, Respondent entered the default computer documentation of (NA/Unknown), as follows:

Type	Date	Age	Inj Site	Mfr	Lot#	Incident
Dipht/Tetanus/ Acell Pertussis	6/10/09	11y8mon	NA/Unknown	NA/Unknown	NA/Unknown	NA/Unknown
Hep A. 0.5ml	6/10/09	11y8mon	NA/Unknown	NA/Unknown	NA/Unknown	NA/Unknown
HPV	6/10/09	11y8mon	NA/Unknown	NA/Unknown	NA/Unknown	NA/Unknown
MeninGococca l Conjugate	6/10/09	11y8mon	NA/Unknown	NA/Unknown	NA/Unknown	NA/Unknown
Varicella < 13y	6/10/09	11y8mon	NA/Unknown	NA/Unknown	NA/Unknown	Type

Respondent's failure may have exposed Patient MR#3496823 to the risk of harm in that subsequent caregivers would have had to rely on incomplete and inaccurate documentation on which to base their future plan of care.

10. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that she received permission from the Clinic's Nurse Manager to take vaccines home from Scott &White Clinic to administer to her grandchild. Respondent adds that her grandchild did not have any medical insurance, and needed vaccinations in order to begin a new school year. Respondent admits to administering the vaccines to her grandchild, and adds that she continually observed her for any adverse reaction, and non occurred.

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, 22 TEX. ADMIN. CODE §217.11(1)(B), (1)(C), (1)(D), (1)(J) and 22 TEX. ADMIN. CODE §217.12(1)(B),(1)(C), (4) & (6)(G).

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 132119, heretofore issued to BARBARA JEAN KNIGHT, including revocation of Respondent's license(s) to practice 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 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 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 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 medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete a course in "Respecting Professional Boundaries," a 3.9 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/03fbf38973/summary.*

(5) RESPONDENT SHALL pay a monetary fine in the amount of two hundred and fifty ($250) dollars. 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, 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:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations conditions 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 conditions 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.

(7) 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.

(8) For the duration of the stipulation period, 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.

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

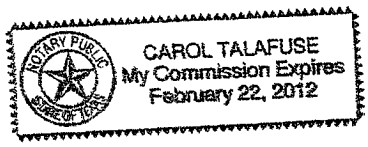
Signed this 27 day of October, 2010.

Barbara Jean Knight

BARBARA JEAN KNIGHT, Respondent

Sworn to and subscribed before me this 27 day of October, 2010.

SEAL



Carol Talafuse

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 27th day of October, 2010, by, BARBARA JEAN KNIGHT Vocational Nurse License Number, and said Order is final.

Effective this 14 day of December, 2010.

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