

BEFORE THE 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.
Patricia P. Thomas
Executive Director of the Board

In the Matter of Registered Nurse License Number 547866 § AGREED
& Vocational Nurse License Number 93106 §
issued to TERESA DENISE LOVETT § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Bc produced evidence indicating that TERESA DENISE LOVETT, Registered Nurse License Number 547866 and Vocational Nurse License Number 93106, hereinafter referred to as Respondent, may have violated Section 301.452 (b)(13), Texas Occupations Code.

An informal conference was held on February 16, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Kenda Dalrymple, Attorney at Law. In attendance were Mary Beth Thomas, PhD, RN, Executive Director's Designee; John F. Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Erin Raesz, Investigator; Bonnie Cone, MSN, RN, Nurse Consultant; Kathy Duncan, RN, Investigator; and Toni Frizell, RN, Investigator.

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 is currently licensed to practice professional nursing in the State of Texas and holds a license to practice vocational nursing in the State of Texas, which is inactive.
3. Respondent received an Certificate in Vocational Nursing from Tyler Junior College, Tyler, Texas on September 4, 1981 Respondent was licensed to practice vocational nursing in the State of Texas on December 11, 1981. Respondent received an Associate Degree in Nursing

from Tyler Junior College, Tyler, Texas, on May 1, 1988. Respondent was licensed to practice professional nursing in the State of Texas on September 1, 1988.

4. Respondent's professional and vocational nursing employment history includes:

10/1981 - 11/1987	LVN	Cozby Germany Hospital Grand Saline, Texas
11/1978 - 05/1988	LVN	Mother Frances Hospital Tyler, Texas
05/1988 - 11/1998	RN	Cozby Germany Hospital Grand Saline, Texas
10/1998 - 06/1999	Not employed in nursing.	
07/1999 - 09/2001	RN	East Texas Medical Center Tyler, Texas
09/2001 - 08/2009	RN	Cozby Germany Hospital Grand Saline, Texas
09/2009 - 07/2010	RN	East Texas Medical Center Athens, Texas
08/2010 - Present	RN	Cozby Germany Hospital Grand Saline, Texas

5. At the time of the initial incident, Respondent was employed as Director of Nursing with Cozby Germany Hospital, Grand Saline, Texas, and had been in this position for six (6) years and eleven (11) months.

6. On or about August 5, 2008, while employed as a Registered Nurse with Cozby Germany Hospital, Grand Saline, Texas, Respondent failed to fully assess a mentally retarded patient, Patient Medical Record Number 035590, and document by incident report, an episode of disruptive behavior. Respondent's conduct resulted in an incomplete medical record, and was likely to injure the resident in that subsequent care givers did not have accurate and complete information on which to base their decisions for further care.

7. In response to Finding of Fact Number Six (6), Respondent states that on August 5, 2008, she checked in with the nurses on the morning shift and was told that the patient on room 201 had been physically aggressive with the nurses. Respondent had not had any dealings with

the patient and knew nothing about her. When she went into the patient's room to speak with the patient, the patient became physically aggressive toward the Respondent. After the incident, the Respondent learned from the nurses that the patient was mentally retarded and had been admitted through the ER. The Respondent acknowledged that she did not review the patient's chart or speak with the nurses to get more information before she went into the room. Respondent also acknowledges that she did not complete an incident report following the conclusion of the incident with the patient.

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)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(D)&(3)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Professional Nurse License Number 547866 and Vocational Nurse License Number 93106, heretofore issued to TERESA DENISE LOVETT, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Section 301.463(d) of the Act provides that this Agreed Order is a Settlement Agreement under Rule 408 of the Texas Rules of Evidence for purposes of civil or criminal litigation.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of a REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, 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 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 "Detecting and Preventing Abuse and Neglect," a six (6) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/training/jointtraining.cfm> or by contacting (512) 438-2201.*

(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://www.learningext.com/products/generalce/critical/ctabout.asp>.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 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 12th day of November, 20 10.

Teresa Lovett

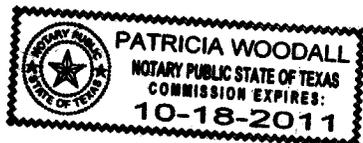
TERESA DENISE LOVETT, RESPONDENT

Sworn to and subscribed before me this 12th day of November, 20 10

SEAL

Patricia Woodall

Notary Public in and for the State of Texas



Approved as to form and substance.

Kenda Dalrymple

Kenda Dalrymple, Attorney for Respondent

Signed this 15th day of November, 2010.

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 12th day of November, 2010, by TERESA DENISE LOVETT, Professional Nurse License Number 547866 and Vocational Nurse License Number 93106, and said Order is final.

Effective this 18th day of November, 2010.





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