

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.  
*Katherine A. Thomas*  
Executive Director of the Board

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In the Matter of Registered Nurse           §       AGREED  
License Number 649951                       §  
issued to SHAROL A. BURNETT           §       ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHAROL A. BURNETT, Registered Nurse License Number 649951 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 August 13, 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 professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Kansas Newman College, Wichita, Kansas, on May 1, 1987. Respondent was licensed to practice professional nursing in the State of Texas on April 2, 1998.
5. Respondent's nursing employment history includes:

10/1987-06/1988

Charge Nurse  
Wichita Presbyterian Manor  
Wichita, Kansas

Respondent's nursing employment history continued:

|                  |  |
|------------------|--|
| 06/1988-02/1992  | Staff Nurse<br>Via-Christi St. Francis Medical Center<br>Wichita, Kansas |
| 02/1992-06/1994  | Not employed in nursing  |
| 09/1994-07/1998  | Staff Nurse<br>Regency Medical Center<br>Winter Haven, Florida           |
| 08/1998-08/2000  | Staff Nurse<br>Good Shepherd Medical Center<br>Longview, Texas           |
| 08/2000-9/2001   | Unknown  |
| 10/2001-09/2002  | Staff Nurse<br>Longview Regional Medical Center<br>Longview, Texas       |
| 10/2002-03/2006  | Not employed in nursing  |
| 04/2006-12/2006  | Office Nurse<br>East Texas Primary Care Physicians<br>Longview, Texas    |
| 1/2007-04/2007   | Unknown  |
| 05/2007-01/2008  | Staff Nurse<br>East Texas Medical Center<br>Gilmer, Texas                |
| 2/2008 - present | Unknown  |

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Registered Nurse with East Texas Medical Center, Gilmer, Texas, and had been in this position for approximately two (2) months.

7. On or about July 26, 2007 through July 31, 2007 while employed with East Texas Medical Center, Gilmer, Texas, Respondent failed to administer "Insulin Humalin N" to Patient MR# 1010761, as ordered. Instead, Respondent administered " Insulin Humalin R" to said patient. Respondent's failure may have denied Patient MR# 1010761 of the intended therapeutic effect of the ordered medication.
8. In response to Finding of Fact Number Seven (7), Respondent admits to administering "Insulin R" instead of "Insulin N" to Patient MR# 1010761. Respondent states that the medication order on the Medication Administration Record (MAR) was misprinted and missing the letters indicating the type of Insulin ordered. Respondent adds that she reported the error to the physician when discovered.
9. On or about August 5, 2007, while employed with East Texas Medical Center, Gilmer, Texas, and while caring for Patient MR# 1033770, Respondent failed to administer "KCL elixir 40 mEq PO now, and repeat in one hour," as ordered. Instead, Respondent administered the first dose only. Respondent's failure may have denied Patient MR# 1033770 of intended therapeutic effect of the ordered medication.
10. In response to Finding of Fact Number Nine (9), Respondent states that she misunderstood the physician's order, and believed it to be " do not give repeat dose."
11. On or about November 17, 2007, while employed with East Texas Medical Center, Gilmer, Texas, while caring for Patient MR# 1013543, Respondent failed to administer "Cardizem 90mg PO now then q6hrs", as ordered. Instead, Respondent administered the second dose of "Cardizem" seven and a half (7.5) hours after the initial dose. Respondent's failure may have denied Patient MR# 1013543 of the intended therapeutic effect of the ordered medication.
12. In response to Finding of Fact Number Eleven (11), Respondent states that she does not recall the incident, and speculates that the order was not transcribed by the Charge Nurse in a timely manner.
13. On or about November 23, 2007, while employed with East Texas Medical Center, Gilmer, Texas, Respondent failed to administer "Zithromax 500mg IVPB" to patient MR#1010310, as ordered. Respondent's failure may have denied Patient MR# 1010310 of the intended therapeutic effect of the ordered medication.
14. In response to Finding of Fact Number Thirteen (13), Respondent admits to failing to administer "Zithromax 500mg IVPB" as ordered. Respondent adds that the facility's policies for the time schedule for bid and t.i.d. medications was confusing. She adds that during her attempt to adjust the administration time to meet the facility's policy parameters, she forgot to administer the medication.

15. On or about November 29, 2007, through December 6, 2007, while employed with East Texas Medical Center, Gilmer, Texas, Respondent failed to verify the identity of Patient MR# 1011699, prior to the administration of medications and administered "Prednisone 20mg" and began to administer "Zithromax 500mg IVPB" to said patient, which were intended for Patient MR# 1012994. Respondent's actions may have exposed Patient MR# 1012994 to the risk of allergic anaphylactic shock.
16. In response to Finding of Fact Number Fifteen (15), Respondent admits to administering "Prednisone" and initiating the infusion of "Zithromax" to Patient MR# 1011699, instead of Patient MR# 1012994, as ordered. Respondent adds that no more than ten (10) minutes passed before she discovered her error and discontinued the infusion of "Zithromax." Respondent states that Patient MR# 1011699 was already receiving antibiotics, and was unlikely to experience an allergic reaction.
17. On or about January 1, 2008, while employed with East Texas Medical Center, Gilmer, Texas, Respondent failed to administer: " Lisinopril 40mg PO", "Protonix 40mg PO", "Theodur 200mg PO", "Procar 5 mg PO," and " Naproxen 250 mg PO" to Patient MR# 1012711, as ordered. Respondent's failure may have denied Patient MR# 1012711 of the intended therapeutic effect of the ordered medication.
18. In response to Finding of Fact Number Seventeen (17), Respondent admits to failing to administer medications to Patient MR# 1012711 in a timely manner. Respondent states that it is likely that the Unit Clerk pulled the Medication Administration Record (MAR) out of the MAR book to transcribe the orders. Respondent states that it is likely that the MAR was not returned to her in a timely manner, causing the missed medications administration.

#### 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, 22 TEX. ADMIN. CODE §217.11(1)(B), (1)(C), (1)(M), (1)(N), (3)(A), and 22 TEX. ADMIN. CODE §217.12(1)(B) & (4).
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 649951, heretofore issued to SHAROL A. BURNETT, 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 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 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 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>.

(4) 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>.*

**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 REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) 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.

(6) 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.

(7) For the duration of the stipulation period, RESPONDENT SHALL be supervised by a Registered 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.

(8) 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 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

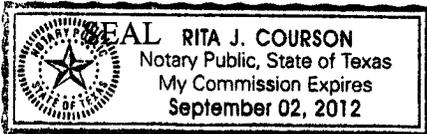
I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the 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 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 6th day of October, 2010.

Sharol A. Burnett  
SHAROL A. BURNETT, Respondent

Sworn to and subscribed before me this 6th day of October, 2010.



Rita J. Courson  
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 16th day of October, 2010, by SHAROL A. BURNETT, Registered Nurse License Number 649951, and said Order is final.

Effective this 9th day of November, 2010.

*Katherine A. Thomas*

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

