



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

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In the Matter of Registered Nurse           §        AGREED  
License Number 652938                       §  
issued to DAWN PRATHER                   §        ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DAWN PRATHER, Registered Nurse License Number 652938, 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 June 6, 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 Diploma in Nursing from Methodist Hospital, Lubbock, Texas, on May 1, 1998. Respondent was licensed to practice professional nursing in the State of Texas on July 7, 1998.
5. Respondent's nursing employment history includes:

6/1998 - 4/1999	Staff Nurse	Seton Hospital Austin, Texas
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Respondent's nursing employment history continued:

4/1999 - 4/2006	Operating Room Director	Healthsouth Austin, Texas
5/2006 - Present	Operating Room Director	North Austin Surgery Center Austin, Texas

6. At the time of the incidents in Findings of Fact Numbers Seven (7) and Nine (9), Respondent was employed as an Operating Room Director with North Austin Surgery Center, Austin, Texas, and had been in this position for one (1) year and ten (10) months.
7. On March 24, 2008, while employed as the Operating Room Director at the North Austin Surgery Center, Austin, Texas, Respondent failed to properly and accurately document the times she was present and caring for Patient's #14252 and #11857, in that Respondent falsely documented being in both patients' rooms simultaneously. Respondent's conduct resulted in inaccurate and misleading medical records for both patients which other caregivers would rely upon to provide further patient care.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she did not falsify the times on the medical records, and that she used the times from the anesthesia records for the two (2) patients to document the times on the intraoperative record, as is the practice at North Austin Surgery Center, and that she was present at all times during the procedures.
9. On or about March 28, 2008, while employed as an Operating Room Director with North Austin Surgery Center, Austin, Texas, Respondent failed to accurately document her presence in the operating room in the medical records of Patient #5619 in that Respondent failed to note when she was relieved by the Director of Nurses who also signed the patient's operating room record as the Circulating Nurse. Respondent's conduct resulted in an inaccurate and misleading medical record which other caregivers would rely upon to provide further patient care.
10. On or about April 18, 2008, while employed as an Operating Room Director with North Austin Surgery Center, Austin, Texas, Respondent failed to document accurately and completely in the medical record of Patient #14942 in that Respondent is noted as the Circulating nurse, but did not sign the record as required, and did not note that she had been relieved. Also, Respondent inaccurately documented the use of fluoroscopy, which was not utilized when the patient underwent a cystoscopy laser lithotripsy and failed to record the time period of the procedure. Respondent's conduct resulted in an inaccurate and misleading medical record which other caregivers would rely upon to provide further patient care.

11. In response to the incidents in Finding of Fact Number Nine (9), and Number Ten (10) Respondent states she failed to document the times she was relieved, but the patients were attended at all times by a Circulating Nurse. Respondent also states she was not the Circulating Nurse for the cystoscopy procedure and did not document that portion of the medical record.

#### 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, and 22 TEX. ADMIN. CODE §§217.11(1)(B)&(1)(D) and 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 652938, heretofore issued to DAWN PRATHER, including revocation of Respondent's license to practice professional 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 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>*

(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>.*

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.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

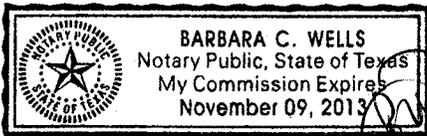
Signed this 10<sup>th</sup> day of September, 2010.

Dawn Prather  
DAWN PRATHER, Respondent

Sworn to and subscribed before me this 10<sup>th</sup> day of September, 2010.

SEAL

Barbara Wells  
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 10th day of September, 2010, by DAWN PRATHER, Registered Nurse License Number 652938, and said Order is final.



Effective this 14th day of September, 2010.

*Katherine A. Thomas*

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