BEFORE THE TEXAS BOARD OF NURSING
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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 Registered Nurse	§	AGREED
License Number 673766	§	
issued to SARAH ANN NELSON	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of SARAH ANN NELSON, Registered Nurse License Number 6737 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10) & (12), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 19, 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.

2. Respondent waived 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 Indiana Purdue University/Parkview Hospital, Fort Wayne, Indiana, on December 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on November 14, 2000

5. Respondent's nursing employment history includes:

4/1995 - 9/2000	Registered Nurse	Parkview Memorial Hospital Fort Wayne, IN
9/2000 - 12/2000	Registered Nurse	Oregon Health Science University Portland, Oregon

Respondent's nursing employment history continued:

1/2001 - 4/2001	Registered Nurse	Seton Medical Center Austin, Texas
4/2001 - 8/2001	Critical Care Nurse	Indiana University Medical Center Indianapolis, IN
8/2001 -11/2001	Registered Nurse	Conroe Regional Medical Center Conroe, Texas
1/2001 - 4/2002	Travel Nurse	Intellistaff Flying Nurses Dallas, Texas
4/2002- 4/2007	Triage Nurse	Texas Children's Pediatric Associates Houston, Texas
5/07 - present	Unknown	

6. At the time of the incident in Finding of Fact Number Eight (8), Respondent was employed as a Staff Nurse with Texas Children's Pediatric Associates, Houston, Texas, and had been in this position for five (5) years.

7. On or about May 2006 through May 7, 2007, while employed with Texas Children's Pediatric Associates, Houston, Texas, Respondent may have lacked fitness to safely practice nursing in that she was diagnosed with Bipolar Disorder in May 2006. On April 5, 2007, Respondent was contacted by her supervisor who noted that Respondent was rambling and not making sense, resulting in her removal from the schedule for the remainder of the month so she could focus her mental health. Respondent's condition while subject to call or duty, could impair her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

8. In response to Finding of Fact Number Seven (7), Respondent reports that she began to see a psychiatrist in the fall of 2004 to help manage her symptoms of depression and eventually elected to voluntarily seek inpatient treatment at the Baylor College of Medicine Psychiatric Treatment Center at Methodist Hospital in May 2005 and June 2005. Through inpatient care, Respondent started on medications to treat major depression and symptoms of generalized anxiety. Respondent reports that after completing the intensive treatment portion of inpatient therapy. In May 2006, Respondent sought treatment through another practitioner who reviewed all her clinical information and testing results and made a definitive diagnosis of Bipolar Disorder and started her medication and thyroid replacement hormone therapy. Respondent completed counseling the Employee Health Program and in cooperation with her counselor, they made the cooperative decision to take time off from her job in order to provide the best results of her overall health. Respondent denies that she ever reported for work under duress and made sure to keep her director informed of her health status.

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) & (12), Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(5).

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 673766, heretofore issued to SARAH ANN NELSON, 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 a WARNING WITH STIPULATION, 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, IN ORDER TO SATISFY THE TERMS OF THIS ORDER, RESPONDENT MUST WORK IN A CAPACITY WHICH REQUIRES HER TO UTILIZE NURSING KNOWLEDGE, SKILLS AND ABILITIES 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 MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF NURSING KNOWLEDGE, SKILLS AND ABILITIES WILL NOT APPLY TO THIS STIPULATION PERIOD:

(1) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT'S progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to work as a registered nurse safely. Such reports are to be furnished each and every month for three (3) months. After three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the stipulation period.

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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Fax to 512-281-9559

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 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 7th day of Sept., 2010.

Sarah Nelson

SARAH ANN NELSON, Respondent

Sworn to and subscribed before me this 7th day of September, 2010.

Jennifer MacAleese

Notary Public in and for the State of Indiana

SEAL
JENNIFER MACALEESE
Notary Public - State of Indiana
SEAL
Huntington County
My Commission Expires Aug. 03, 2012

Approved as to form and substance.

Taralynn R. Mackay

Taralynn R. Mackay, Attorney for Respondent

Signed this 8th day of September 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 7th day of September, 2010 by SARAH ANN NELSON, License Number 673766, and said Order is final.

Effective this 21st day of October, 2010.

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