



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

In the Matter of Registered Nurse § AGREED
License Number 773030 §
issued to KRISTEN JOELLE BROWN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KRISTEN JOELLE BROWN, Registered Nurse License Number 773030, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 9, 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 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 Pima Community College, Tucson, Arizona, on December 19, 2008. Respondent was licensed to practice professional nursing in the State of Texas on July 16, 2009.
5. Respondent's complete vocational nursing employment history includes:

06/2009 - 09/2009	RN	University Medical Center Lubbock, Texas
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Respondent's complete vocational nursing employment history continued:

09/2009 - 03/2010	RN	Southwest Regional Medical Center Lubbock, Texas
11/2009 - 03/2010	RN	Grace Hospital Lubbock, Texas
03/2010 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Grace Medical Center, Lubbock, Texas, and had been in this position for approximately four (4) months.
7. On or about March 21, 2010, while employed as a Registered Nurse at Grace Medical Center, Lubbock, Texas, Respondent violated patient confidentiality and privacy in that she photographed with her personal cell phone the necrotic foot of Patient Medical Record Number 309582, without obtaining permission, and posted the pictures on her Facebook page. Respondent's conduct was likely to injure that patient in that the patient's pictures were taken and released without the patient's authorization or consent.
8. In response to Finding of Fact Number Seven (7), Respondent states: These allegations are partially accurate. On or about March 21, 2010, she took two close-up photographs with her personal cell phone of a patient's necrotic foot. She subsequently posted the photographs on her Facebook page for approximately ten minutes, after which time the photographs were removed and deleted. However, Ms. Brown did not violate patient confidentiality and privacy, as alleged, because she carefully avoided photographing anything from which the patient could be identified. She did obtain permission from her two immediate supervisors prior to posting the photographs.

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)(A)&(E) and 22 TEX. ADMIN. CODE §217.12(1)(B).

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 773030, heretofore issued to KRISTEN JOELLE BROWN, 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 sanctions of REMEDIAL EDUCATION 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 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 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>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). 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, 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.

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RESPONDENT'S CERTIFICATION

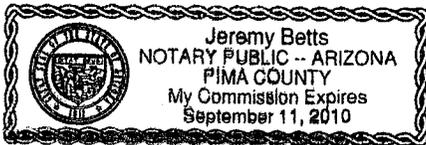
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 26 day of August, 2010.

Kristen Joelle Brown
KRISTEN JOELLE BROWN, Respondent

Sworn to and subscribed before me this 26th day of AUGUST, 2010.

SEAL



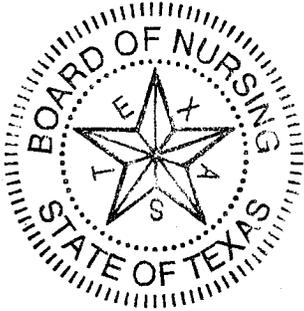
[Signature]
Notary Public in and for the State of ARIZONA

Approved as to form and substance.

[Signature]
Mark E. Killingsworth, Attorney for Respondent

Signed this 25th day of August, 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 26th day of August, 2010, by KRISTEN JOELLE BROWN, Registered Nurse License Number 773030, and said Order is final.



Effective this 27th day of August, 2010.


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