BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 735496	§	
issued to MARY KAY CARLSON	§	ORDER

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.
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of MARY KAY CARLSON, Registered Nurse License Number 735496, 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 March 16, 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 a Baccalaureate Degree from Southwestern Oklahoma State University, Weatherford, Oklahoma, on May 11, 1990. Respondent was licensed to practice professional nursing in the State of Texas on November 17, 2006.

5. Respondent's nursing employment history includes:

11/1989 - 11/1994	GN/Staff Nurse	Naval Hospital Camp LeJeune, North Carolina\
11/1994 - 12/1997	Division Officer Post Partum ward	Lester Naval Hospital Okinawa, Japan
1/1998 - 12/2000	Manager, Assistant Supervisor, OB/GYN	Naval Ambulatory Care Groton, Connecticut
11/1998 - 1/2001	Unknown	United States Navy
2/2001 - 3/2001	Unknown	
3/2001 - 3/2003	Telemanagement Coordinator	Naval Ambulatory Care Groton, Connecticut
3/2003 - 7/2003	Patient Care Coordinator	United States Naval Hospital Portsmouth, Virginia
8/2003 - 2/2004	Unknown	
3/2004 - 10/2005	Staff Nurse	Medical Staffing Network Groton, Connecticut
10/2005- 3/2006	Nurse Supervisor Alcohol and Drug Dependency Unit	Southeastern Connecticut
4/2006 - 6/2006	Unknown	
7/2006 - 10/2007	Staff/Medication Nurse	Green Oaks Behavioral Center Dallas, Texas
10/2007 - 12/2007	Staff Nurse	Baylor Medical Center Dallas, Texas
1/2008 - 2/2008	Unknown	
3/2008 - 8/2008	Charge Nurse/ Staff Nurse	Timberlawn Behavioral System Dallas, Texas
9/2008 - Present	Staff Nurse	Texas Health Resources Dallas, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Baylor University Medical Center, Dallas, Texas, and had been in this position for two (2) months.

7. On or about December 3, 2007, while employed as a Staff Nurse with Baylor University Medical Center, Dallas, Texas, Respondent failed to document assessments, the status of, and care provided to Patient 0048622-002, as required. Respondent's conduct resulted in an incomplete medical record that was likely to injure the patient in that subsequent care givers would not have complete information on which to base their care decisions.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states the facility's census was low and another staff nurse and Respondent were both caring for the patients. They split up the documentation and each nurse thought the other was documenting on the patient. Respondent states that when it was pointed out that the documentation was missing, Respondent made a late entry (LE) documentation note.

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)(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 735496, heretofore issued to MARY KAY CARLSON, 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.*

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.

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.

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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 1 day of June, 2010

Mary K

MARY KAY CARLSON, Respondent

Sworn to and subscribed before me this 1 day of June, 2010.

SEAL

JENA MARIE BIRDSONG
Notary Public
STATE OF TEXAS
My Comm. Exp. 04-22-12

Jena Marie Birdsong

Notary Public in and for the State of Texas

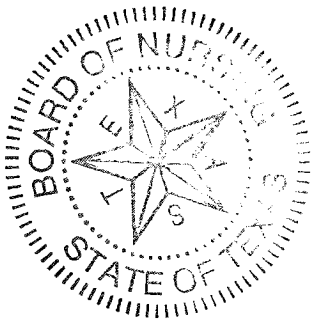
Approved as to form and substance.

Taralynn R. Mackay

Taralynn Mackay, Attorney for Respondent

Signed this 10th day of May, 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 1st day of June, 2010, by MARY KAY CARLSON, Registered Nurse License Number 735496, and said Order is final.



Effective this 4th day of June, 2010.

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