



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	§	
License Number 653153 and	§	AGREED
Vocational Nurse	§	
License Number 165272	§	
issued to WENDY DENTON BLACKWELL,	§	ORDER
f.k.a. WENDY DIONNE DENTON	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of WENDY DENTON BLACKWELL, f.k.a. WENDY DIONNE DENTON, Registered Nurse License Number 653153 and Vocational Nurse License Number 165272, 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 May 16, 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 licenses.
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. Respondent's license to practice vocational nursing in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Tomball College, Tomball, Texas, on August 14, 1997, and received an Associate Degree in Nursing from Tomball

College, Tomball, Texas, on May 1, 1998. Respondent was licensed to practice vocational nursing in the State of Texas, on October 16, 1997, and was licensed to practice professional nursing in the State of Texas, on July 14, 1998.

5. Respondent's nursing employment history includes:

8/1997-6/1998	LVN	Maxim Health Care Services Tomball, Texas
6/1998-1/2000	RN	Tomball Regional Hospital Tomball, Texas
2/2000-1/2001	Unknown	
2/2001-12/2002	RN	Houston Northwest Medical Center Houston, Texas
1/2003-1/2004	Unknown	
2/2004-6/2004	RN	Unival Houston, Texas
7/2004	Unknown	
8/2004-9/2006	RN	Houston Northwest Medical Center Houston, Texas
9/2006-2/2008	RN	Triumph Hospital-Tomball Tomball, Texas
Unknown-Present	RN	Memorial Hermann Hospice Houston, Texas

6. At the time of the initial incident, Respondent was employed as a RN with Triumph Hospital-Tomball, Tomball, Texas, and had been in this position for one (1) year and four (4) months.

7. On or about January 28, 2008, while employed with Triumph-Hospital Tomball, Tomball, Texas, and providing nursing care to Patient Medical Record Number 00000164, Respondent failed to notify the physician that the patient had a significant change in medical status and that the family wished to terminate the ventilator earlier in the day than had been originally planned. Respondent's conduct deprived the physician of the opportunity to institute informed and timely medical interventions.

8. On or about January 28, 2008, while employed with Triumph-Hospital Tomball, Tomball, Texas, and providing nursing care to Patient Medical Record Number 00000164, Respondent falsely documented a physician's order to terminate life support when the Respiratory Therapist refused to terminally wean the patient from the ventilator without a physician's order. Respondent wrote on the physician's order sheet, "Family request life support and all devices to be stopped at this time," and presented this to the Respiratory Therapist, without authorization from the patient's physician. Respondent's conduct was likely to deceive and was likely to injure the patient in that removing the ventilator would hasten the patient's demise.
9. On or about January 28, 2008, while employed with Triumph-Hospital Tomball, Tomball, Texas, and providing nursing care to Patient Medical Record Number 00000164, Respondent instructed a Respiratory Therapist to remove life support, thereby ending the patient's life, without a physician's order or authorization. Respondent's conduct exposed the patient unnecessarily to a risk of premature death.
10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that the patient's physician was aware of the change of condition because the change occurred on the Friday prior to the incident. Respondent states she had past experience with the physician and was hesitant to call because the patient was a Do Not Resuscitate and, in her experience, the physician would ask "what do you want me to do?" Respondent states when she was given report that Monday morning she was told the physician was aware of the patient's continuing decline, the family had signed the Do Not Resuscitate on Saturday, and the decision had been made to remove the ventilator once another daughter arrived at 1:00 p.m. that day. Regarding writing an order to make the patient a Do Not Resuscitate and to terminate the patient's life support, Respondent states she did write the family's request that the ventilator be stopped "now" in the medical record, but did not write a physician's order. Respondent states she made the family's wishes known to the Respiratory Therapist, who had witnessed the majority of the interaction between the family and the Respondent.

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, and 22 TEX. ADMIN. CODE §217.11(1)(A)&(1)(D) and 217.12(1)(A),(1)(B),(4),(6)(A)&(6)(H).

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 653153 and Vocational Nurse License Number 165272, heretofore issued to WENDY DENTON BLACKWELL, f.k.a. WENDY DIONNE DENTON, including revocation of Respondent's licenses 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 Registered Nurse License Number 653153 and Vocational Nurse License Number 165272, previously issued to WENDY DENTON BLACKWELL, f.k.a. WENDY DIONNE DENTON, to practice nursing in Texas are hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) with the following agreed terms of probation:

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 licenses are encumbered by this order the 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.

(1) 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.

(2) 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>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order the, 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 the, 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 PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the probation conditions on RESPONDENT's licenses. 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 probation conditions on RESPONDENT's licenses. 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 first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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) For the remainder of the probation 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.

(9) 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 two (2) years of employment as a nurse.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's licenses, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's licenses 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

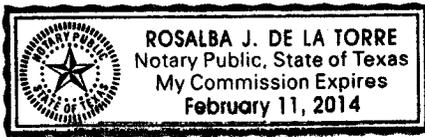
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of June, 2010.

Wendy Denton Blackwell
WENDY DENTON BLACKWELL,
f.k.a. WENDY DIONNE DENTON, Respondent

Sworn to and subscribed before me this 15 day of June, 2010.

SEAL

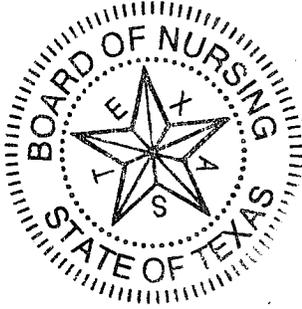


Rosalba J. De La Torre

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 15th day of June, 2010, by WENDY DENTON BLACKWELL, f.k.a. WENDY DIONNE DENTON, Registered Nurse License Number 653153 and Vocational Nurse License Number 165272, and said Order is final.

Effective this 20th day of July, 2010.



Katherine A. Thomas

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