



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 578113 §
issued to SANDRA KAY OLSEN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SANDRA KAY OLSEN, Registered Nurse License Number 578113, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on October 29, 2009, 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 Baccalaureate in Nursing from the University of Texas - El Paso, El Paso, Texas, in December 1991. Respondent was licensed to practice professional nursing in the State of Texas on March 17, 1992 .
5. Respondent's complete nursing employment history is unknown.

6. At the time of the incidents in Findings of Fact Numbers Seven (7) through Eleven (11), Respondent was employed as a Staff Nurse with El Paso Psychiatric Center, El Paso, Texas, and had been in this position for approximately three (3) months.
7. On or about May 4, 2006, while employed as a Registered Nurse with the El Paso Psychiatric Center, El Paso, Texas, Respondent lacked fitness to practice professional nursing in that while on duty she fell asleep in front of the computer, appeared dazed and listless, had difficulty comprehending answers to her questions, and had difficulty rendering care to her patients and documenting her nursing care in patient records, resulting in the charge nurse caring for her assigned patients. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. On or about May 11, 2006, while employed as a Registered Nurse with the El Paso Psychiatric Center, El Paso, Texas, Respondent left her nursing assignments without notifying the appropriate personnel. Respondent's conduct was likely to injure patients in that she left the facility without adequate licensed staff to provide nursing care.
9. On or about May 12, 2006, while employed as a Registered Nurse with the El Paso Psychiatric Center, El Paso, Texas, Respondent lacked fitness to practice professional nursing in that she appeared to be sleeping during shift change report, and was confused and could not remember what days she had worked that week. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
10. On or about May 17, 2006, while employed as a Registered Nurse with the El Paso Psychiatric Center, El Paso, Texas, Respondent failed to promote a safe environment for patients in that she picked up a urine specimen from the lab refrigerator without gloves. The lid on the specimen container was not secured properly resulting in urine spilling on Respondent's hands. Respondent failed to immediately wash her hands. Respondent's conduct was likely to injure patients who would be exposed to the infectious pathogens contained in the urine spill when Respondent administered nursing care.
11. On or about May 18, 2006, while employed as a Registered Nurse with the El Paso Psychiatric Center, El Paso, Texas, Respondent failed to know, recognize or maintain professional patient/nurse boundaries in that she was observed hugging and kissing two (2) male patients on their cheek. Additionally, after "clocking out", Respondent returned to the patients' rooms to counsel the patients on her own personal time. Respondent's conduct was a violation of patient/nurse boundaries, which may cause confusion between the needs of the patient and those of the nurse.

12. Respondent attributes her behavior in Findings of Fact Numbers Seven (7) through Eleven (11), to a diagnosis of Anxiety Disorder and Depression. Respondent has been prescribed anxiety medication to treat the symptoms of Anxiety Disorder. Additionally, Respondent attributes her behavior to a diagnosis of diabetes which exacerbated her Anxiety Disorder and Depression.
13. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
14. Charges were filed on December 18, 2008 and First Amended Charges on September 9, 2009.
15. Respondent's conduct described in Finding of Fact Numbers Seven (7) through Eleven (11) resulted Respondent's impairment by mental illness.
16. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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), (12) & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B), (C), (D), (J) & (O) and 22 TEX. ADMIN. CODE §217.12(1)(A) & (B), (4), (5), (6)(D)& (12).
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 578113, heretofore issued to SANDRA KAY OLSEN, including revocation of Respondent's license to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the

sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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 multistate licensure 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

multistate licensure 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, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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12-11-09

RESPONDENT'S CERTIFICATION

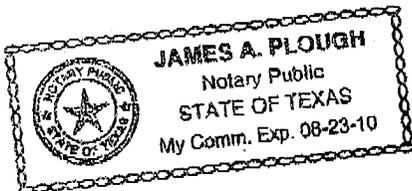
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I do not agree with the Findings of Fact and Conclusions of Law but do agree to the terms and conditions of the Order, specifically including Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11th day of December, 2009.

Sandra Kay Olsen
 SANDRA KAY OLSEN, Respondent

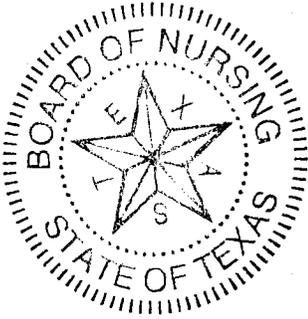
Sworn to and subscribed before me this 11th day of December, 2009.

SEAL



[Signature]
 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 accept and enter the Agreed Order that was signed on the 11th day of December, 2009, by SANDRA KAY OLSEN, Registered Nurse License Number 578113, and said Order is final.



Entered and effective this 14th day of December, 2009.


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