BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
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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

In the Matter of Registered Nurse	§	AGREED
License Number 598093	§	
issued to JAMES MARK CRAWFORD	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinaf referred to as the Board, considered the matter of JAMES MARK CRAWFORD, Registe Nurse License Number 598093, 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 conference, notice and hearing, and agreed to the entry of this Order offered on February 14, 2007, 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 conference, 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 in Nursing from The University of Cincinnati College of Nursing, Cincinnati, Ohio, on June 1, 1977, and received a Certificate in Nurse Anesthesia from The University Health Center of Pittsburgh School of Anesthesia, Pittsburgh, Pennsylvania on August 27, 1981. Respondent was licensed to practice professional nursing in the State of Texas on October 11, 1993, and became Board recognized as a Nurse Anesthetist on April 24, 1997.

5. Respondent's professional nursing employment history includes:

1977 - 1980	Unknown	
1981 - 1984	Staff Certified Registered Nurse Anesthetist (CRNA)	Akron City Hospital Akron, Ohio
1982 - 1996	Staff CRNA	Multiple Hospitals West Virginia, South Carolina, & Ohio
1984 - 1987	Staff CRNA	Barberton Citizens Hospital Barberton, Ohio
1984 - 1989	President/Founder	Computerized Anesthesia Systems, Inc. Unknown
1987 - 1990	Staff CRNA	Robinson Memorial Hospital Ravenna, Ohio
1990 - 1993	Chief CRNA	University Medical Center Lebanon, Tennessee
1993 - 1994	Didactic Instructor	Middle Tennessee School of Anesthesia Madison, Tennessee
1993 - 1995	Director Anesthesia	Garrett City Memorial Hospital Oakland, Maryland
1996	Staff CRNA	St. Mary's Hospital Centralia, Illonois
1996 - 1997	Self- Employed CRNA	Plains Regional Medical Center Portales, New Mexico
1997 - 2002	Self-Employed CRNA	Cuero Community Hospital Cuero, Texas
2003 - Unknown	Contract CRNA	El Paso Anesthesiology Services El Paso, Texas
4/2005 - 6/2005	Contract CRNA	Sierra Providence Health Network El Paso, Texas
7/2005 - Present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Contract CRNA with Sierra Providence Health Network, El Paso, Texas, and had been in this position for less than one (1) month.

7. On or about May 13, 2005, while employed as a Contract CRNA with Sierra Providence Health Network, El Paso, Texas, Respondent provided falsified documents needed to verify his professional liability insurance coverage. Respondent's professional liability insurance policy was cancelled in October 2003 by the American Association of Nurse Anesthetists for undisclosed reasons. Respondent's conduct deceived his employer and the public, and resulted in an inaccurate, fraudulent employee personnel record.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent admits that he twice altered the dates on his malpractice insurance cards. He states he unintentionally let his malpractice insurance lapse and forgot to renew it. During that time, Respondent states he had a family member diagnosed with a terminal illness which required trips to Phoenix, Arizona. When it came time to be credentialed at Sierra Providence Health Network, El Paso, Texas, Respondent states he altered the expiration date on his old malpractice card and sent it to the hospital credentialing committee.

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) and 22 TEX. ADMIN. CODE 217.12(1)(B),(6)(A),(6)(H)&(6)(I) .

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 598093, heretofore issued to JAMES MARK CRAWFORD, including revocation of Respondent's license to practice professional nursing in the State of Texas.

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ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS AND FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

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 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 deliver the wallet-sized license issued to JAMES MARK CRAWFORD, to the office of the Board of Nurse Examiners within ten (10) days from the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> 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) contact hours

in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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.bne.state.tx.us/about/stipscourses.html.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bne.state.tx.us/about/stipscourses.html.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars ($500.00). RESPONDENT SHALL pay this fine within forty- five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED 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 STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. 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 stipulations on RESPONDENT's license. 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) 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.

(8) 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) months for one (1) year of employment as a nurse.

(9) Should RESPONDENT choose to utilize his CRNA authorization, in lieu of Stipulations Seven (7) and Eight (8), RESPONDENT'S nurse anesthetist practice will be monitored for one (1) year by an Anesthesiologist or Certified Registered Nurse Anesthetist who has been approved by the Board. Respondent must provide a list of three (3) Anesthesiologists and/or three (3) Certified Registered Nurse Anesthetists for the Board to select. For the Anesthesiologist and/or Certified Registered Nurse Anesthetist, the list must include the following for each: name, license number or social security number, educational background and professional employment history. Monitoring shall commence no later than thirty (30) days following the date of RESPONDENT's receipt of the name of the monitor selected by the Board. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth

in this Order do not reoccur. RESPONDENT SHALL meet with the monitor at least twice a month, at least one (1) hour duration each. RESPONDENT SHALL ensure that the monitor submits reports, addressing RESPONDENT's progress in overcoming these deficiencies to the office of the Board at the end of each three (3) months for the one (1) year stipulation period. Meetings may be longer and more frequent if the monitor determines necessary.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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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 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 20 day of April, 2007.

JAMES MARK CRAWFORD, Respondent

Sworn to and subscribed before me this 20th day of April, 2007.

Notary Public in and for the State of TEXAS

PAUL A. ALVARADO NOTARY PUBLIC STATE OF TEXAS EXPIRES FEB. 6, 2010

Approved as to form and substance.

Nancy Roper Willson, Attorney for Respondent

Signed this 20th day of April, 2007.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 20th day of April, 20 07, by JAMES MARK CRAWFORD, Registered Nurse License Number 598093, and said Order is final.

Effective this 12th day of June, 2007.

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