BOARD OF NURSING TEXAS
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

BEFORE THE TEXAS BOARD OF NURSING

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| In the Matter of Registered Nurse | § | AGREED |
| License Number 638669 | § | |
| issued to SARAH JANE ERICKSON | § | ORDER |

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of SARAH JANE ERICKSON, Registered Nurse License Number 638669, 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 conference, notice and hearing, and agreed to the entry of this Order offered on November 27, 2007, 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 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 an Associate Degree in Nursing from El Centro College, Dallas, Texas, on December 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on March 4, 1997.

5. Respondent's professional nursing employment history includes:

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| March 1997 - October 2003 | RN<br>Baylor Institute for Rehabilitation<br>Dallas, Texas |
| November 2003 - February 2006 | Unknown |
| March 2006 - October 2006 | RN<br>Mesquite Community Hospital<br>Mesquite, Texas |
| November 2006 - Present | Unknown |

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Baylor Institute for Rehabilitation, Dallas, Texas, and had been in this position for five (5) years and seven (7) months.

7. On or about October 12, 2002 and October 13, 2002, while employed with Baylor Institute for Rehabilitation, Dallas, Texas, Respondent failed to administer Coumadin 3mg to Patient Medical Record Number 131415 per physician's orders. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.

8. On or about October 12, 2002 and October 13, 2002, while employed with Baylor Institute for Rehabilitation, Dallas, Texas, Respondent withdrew Pepcid, Cardura, Colace, Mylicon, Seroquel, Humibid LA, Ambien, Peridex, Nystatin, Cleocin, Deseryl and Boost-All, for patients but failed to accurately and/or completely document the administration of said medications in patients' medical records. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.

9. On or about October 12, 2002 and October 13, 2002, while employed with Baylor Institute for Rehabilitation, Dallas, Texas, Respondent lacked fitness to practice professional nursing in that she was observed by co-workers to be shaking and jittery. She was also observed to be angry and emotional, including crying in front of 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.

10. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.

11. In a letter to the Board, received on April 10, 2007, Respondent states that she was hospitalized at Green Oaks Hospital, Dallas, Texas, and Timberlawn Hospital, Dallas, Texas. Respondent admits that she suffers from Bipolar Disorder and is requesting that the Board allow her to return to the Texas Peer Assistance Program for Nurses (TPAPN).

12. Respondent's conduct described in Findings of Fact Numbers Seven (7), Eight (8) and Nine (9) was significantly influenced by Respondent's impairment by mental illness.

13. 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 violations of Section 301.452(b)(10) & (12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(3), (4) & (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 638669, heretofore issued to SARAH JANE ERICKSON, including revocation of Respondent's license to practice professional 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):

RESPONDENT SHALL deliver the wallet-sized license issued to SARAH JANE ERICKSON, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order for appropriate notation.

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars ($500) payable to TPAPN.

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

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

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

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to 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 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 revocation of Respondent's license and multistate licensure privileges, if any, to practice 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 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 agree to the Findings of Fact, Conclusions of Law, and 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 22 day of December, 2007.

Sarah Jane Erickson

SARAH JANE ERICKSON, Respondent

Sworn to and subscribed before me this 22 day of December, 2007.

SEAL

Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
ROBERTA M ALEMAN
My Commission Expires
March 12, 2011

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 22nd day of December, 2007, by SARAH JANE ERICKSON, Registered Nurse License Number 638669, and said Order is final.

Entered and effective this 28th day of December, 2007.

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