



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.  
*Patricia A. Johnson*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of § REINSTATEMENT  
Registered Nurse License Number 592683 §  
issued to DENISE PARKS OYLER § AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement of Registered Nurse License Number 592683, held by DENISE PARKS OYLER, hereinafter referred to as Petitioner.

An informal conference was conducted on June 28, 2016, in accordance with Section 301.464, Texas Occupations Code. Petitioner appeared in person.

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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from Fresno City College, Fresno, California on June 1, 1974. Petitioner was licensed to practice professional nursing in the State of Texas on August 16, 1993.

4. Petitioner's nursing employment history includes:

6/74 - 4/77	Staff Nurse	St. Agnes Hospital Fresno, California
4/77 - 1/78	Staff Nurse	Dr. Padmanabhan & Dr. Wolk Fresno, California
1/78 - 6/80	Home Health Nurse	St. Agnes Hospital Fresno, California

Petitioner's nursing employment history continued:

6/80 - 3/84	Charge Nurse/ADON/ DON	Beverly Manor Convalescent Fresno, California
3/84 - 8/85	Home Health Nurse	Madera Home Health Madera, California
7/85 - 9/93	Educator	Eagle Medical Fresno, California
9/85 - 8/92	Teacher	Fresno County Schools Fresno, California
3/90 - 9/93	Staff Nurse/Case Mgr.	Kimberly Quality Care Fresno, California
6/91 - 9/93	Staff Nurse/Case Mgr.	Interim Health Care Fresno, California
6/92 - 8/93	Skills Evaluator	Community College Systems Fresno, California
9/92 - 9/93	Staff Developer	Casa Metropolitan Fresno, California
9/93 - 2/97	Teacher	Fort Worth ISD Fort Worth, Texas
3/94 - 2/97	Staff Nurse	Cedar Vista Psychiatric Hospital Fresno, California
2/97 - 11/98	Director	WillowCreek Psychiatric Hospital Fort Worth, Texas Huguley Hospital Mansfield, Texas
11/98 - 7/01	Medicare Coordinator/ Weekend Supervisor	Trinity Mission of Burleson Burleson, Texas

Petitioner's nursing employment history continued:

7/99 - 7/03	Teacher/School Nurse	Northwest High School Justin, Texas
7/01 - 10/03	Weekend Supervisor/ ADON	Garden Care Center Fort Worth, Texas
10/03 - 2008	Weekend Supervisor/ DON	Wellington Oaks Fort Worth, Texas
9/04 - 10/06	Case Manager	Odyssey Hospice Fort Worth, Texas
12/04 - 10/05	DON	Kents Nursing Center Fort Worth, Texas
10/05 - 10/06	Clinical Director/ Administrator	Southern Care Hospice Fort Worth, Texas
10/06 - 10/10	Staff Nurse	Harris Methodist Hospital Fort Worth, Texas
1/08 - 10/10	Home Health Nurse	Phoenix Home Health Dallas, Texas
2/09 - 7/10	Case Manager	Odyssey Hospice Fort Worth, Texas
7/09 - 8/10	Teacher	Byron Nelson High School Trophy Club, Texas
7/10 - 11/10	Executive Director	Cosmos Hospice White Settlement, Texas
11/10 - 1/11	Executive Director	Madera County Hospice Madera, California
1/11 - 9/12	Clinical Mentor	Optimal Hospice Fresno, California
9/12 - present	Staff Nurse/Clinical Educator/PRN	Hinds Hospice Fresno, California

Petitioner's nursing employment history continued:

10/14 - present      Nurse Lung Navigator      St. Agnes Medical Center  
Fresno, California

5. On December 15, 2010, Petitioner was issued the sanction of Remedial Education by the Texas Board of Nursing. A copy of the December 15, 2010, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
6. On June 11, 2013, Petitioner's license to practice professional nursing was Revoked by the Texas Board of Nursing. A copy of the June 11, 2013, Order of the Board is attached and incorporated, by reference, as part of this Order.
7. On or about March 4, 2016, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
8. Petitioner presented the following in support of said petition:
  - 8.1. Letter of support, dated February 25, 2016, from Deanne Sayles, RN, MN, CHPN, Principal, Prairie Palliative Care Consulting, stating she has known Petitioner for eight (8) years and considers her a close friend. Ms. Sayles has worked with Petitioner at Hinds Hospice and observed her in a variety of situations as Educator to staff and out in the community teaching at facilities. Petitioner displays above average ability to analyze and deal with a variety of situations that could otherwise be potential problems. She demonstrates above average analytical skills and prioritizes details. Petitioner is a hard worker and very organized. She has a huge heart of compassion for patients and families. She leads a community organization of hospice nurses who admire and respect her.
  - 8.2. Letter of support, dated February 19, 2016, from Richard S. Zarandin, RN, CHPCA, CHM, stating he has known Petitioner for more than five (5) years. She was and still continues to be a mentor for many nurses who embark in the profession of nursing specializing in end of life care. In addition to her many roles at home and work, she still finds time to help the local chapter of Fresno-Sierra Hospice and Palliative Nurses Association. She's been a great advocate in improving the quality of end of life care in the Central Valley.
  - 8.3. Letter of support, dated February 18, 2016, from Joy Clark, RN, Burlison, Texas, stating she have known Petitioner for over sixteen (16) years. They worked together in long term care in the Fort Worth, Texas, area. Petitioner is one of the best nurses Ms. Clark has worked with. She has a superior work ethic and her integrity is above reproach. Ms. Clark hopes to work with Petitioner again in the future.

- 8.4. Letter of support, dated February 17, 2016, from Susan McKeon, RN, Clovis, California, stating she has known Petitioner since January 2013. They met at Hinds Hospice where Petitioner was Ms. McKeon's supervisor. Ms. McKeon found Petitioner to be very competent, compassionate and a good leader. She had sound clinical judgement and excellent nursing skills. While Petitioner was the Clinical Educator, she was an excellent instructor. Her classes were interesting, well thought out and easy to understand. Ms. McKeon and Petitioner now work together at St. Agnes Medical Center where they are both Nurse Navigators. Petitioner began the lung navigation program at St. Agnes from the ground up. She has had to interact with many physicians and does so without difficulty. Petitioner meets with the patients when they are first identified as being at risk for lung cancer and sees them through scans, biopsy, treatment and hospice, if necessary. She is very professional, compassionate and kind.
- 8.5. Letter of support, dated February 23, 2016, from Joyce F. Waskom, Graham, Texas, stating she worked with Petitioner for four (4) years or five (5) years at Wellington Oaks. Petitioner was always willing to assist Ms. Waskom and still take care of her own duties. Ms. Waskom would be glad to work with Petitioner again.
- 8.6. Letter of support, dated February 24, 2016, from David Peugh, Pastor, Camelia Avenue Southern Baptist Church, Fresno, California, stating he has known Petitioner for several years. Mr. Peugh knows Petitioner to be dependable, responsible, honest and courteous. Her character is one that places the best interest of others ahead of herself.
- 8.7. Letter of support, dated February 17, 2016, from Pat Smith, Fresno, California, stating she has known Petitioner for approximately thirty-five (35) years. He met her at church where she played piano and they worked together with children. She is very organized and dependable. Petitioner will be a great asset for any workplace.
- 8.8. Letter of support, dated February 23, 2016, from David Carothers, Lead Pastor, Woodward Park Baptist Church, Fresno, California, stating he recommends Petitioner as a hard-working, faithful woman of character. It is obvious that Petitioner is an active, caring wife and grandmother.
- 8.9. Documentation of the required continuing education contact hours.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Tex. Admin. Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character and relicensure.

10. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
11. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.
3. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Tex. Admin. Code §213.27, and pursuant to 22 Tex. Admin. Code §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

### **TERMS OF ORDER**

#### **I. REINSTATEMENT OF LICENSURE**

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of DENISE PARKS OYLER for reinstatement of license to practice nursing in the state of Texas be **GRANTED** and Registered Nurse License Number 592683 is hereby **REINSTATED** in accordance with the terms of this Order.

## II. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, PETITIONER agrees to obtain, read, and 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.

- A. PETITIONER SHALL pay all re-registration fees, if applicable, and PETITIONER'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- B. This Order SHALL be applicable to PETITIONER's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. PETITIONER may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where PETITIONER wishes to work.

## III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, Petitioner SHALL successfully complete the following remedial education course(s) **within one (1) year of relicensure, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that 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. Home study courses and video programs will not be approved.

- B. **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.
- C. **The course "Detecting and Preventing Abuse and Neglect ...,"** a 5.0 contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services.

In order to receive credit for completion of this/these course(s), Petitioner SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. Petitioner SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

#### IV. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 29 day of August, 2016.

Denise Parks Oyler  
DENISE PARKS OYLER, Petitioner

**CALIFORNIA JURAT**

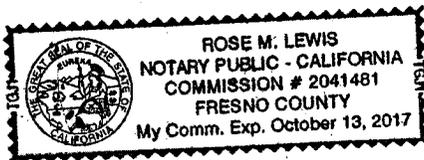
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Fresno

Subscribed and sworn to (or affirmed) before me on this  
29 day of August, 2016

by Denise Parks Oyler  
proved to me on the basis of satisfactory evidence to be the person ~~(s)~~ who appeared before me.



Signature Rosette Lewis (seal)

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 29th day of August, 2016, by DENISE PARKS OYLER, Registered Nurse License Number 592683, and said Order is final.

Effective this 27th day of October, 2016.



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

IN THE MATTER OF  
PERMANENT REGISTERED NURSE  
LICENSE NUMBER 592683

ISSUED TO  
DENISE PARKS OYLER

§  
§  
§  
§  
§  
§

BEFORE THE TEXAS  
BOARD OF NURSING  
ELIGIBILITY AND  
DISCIPLINARY COMMITTEE



accurate, and true copy of the document which  
is on file or is of record in the offices of the  
Texas Board of Nursing.  
*Stephanie Johnson*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: DENISE PARKS OYLER  
954 NAOMI COURT  
BURLESON, TX 76028

During open meeting held in Austin, Texas, on June 11, 2013, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 592683, previously issued to DENISE PARKS OYLER, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 11th day of June, 2013.

TEXAS BOARD OF NURSING



BY:

\_\_\_\_\_  
KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Registered Nurse License Number 592683  
Issued to DENISE PARKS OYLER  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12<sup>th</sup> day of June, 2013, a true and correct copy of the foregoing  
DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

DENISE PARKS OYLER  
954 NAOMI COURT  
BURLESON, TX 76028

BY:



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KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of § BEFORE THE TEXAS  
Permanent Registered Nurse §  
License Number 592683 §  
Issued to DENISE PARKS OYLER, §  
Respondent § BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DENISE PARKS OYLER, is a Registered Nurse holding License Number 592683 which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

#### CHARGE I.

On or about December 16, 2011, Respondent failed to comply with the Agreed Order issued to her on December 15, 2010, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number One (1) of the Agreed Order which states, in pertinent part:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics....

A copy of the December 15, 2010, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

#### CHARGE II.

On or about December 16, 2011, Respondent failed to comply with the Agreed Order issued to her on December 15, 2010, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Two (2) of the Agreed Order which states, in pertinent part:

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect..." a five (5) contact hour workshop...

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

### CHARGE III.

On or about December 16, 2011, Respondent failed to comply with the Agreed Order issued to her on December 15, 2010, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Three (3) of the Agreed Order which states, in pertinent part:

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program...

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

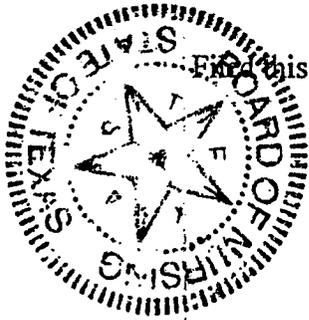
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.texas.gov/disciplinaryaction/discp-matrix.html](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

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NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order dated December 15, 2010.



Filed this 28th day of March, 2013.

TEXAS BOARD OF NURSING

  
James W. Johnston, General Counsel

Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Assistant General Counsel  
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel  
State Bar No. 24066924

John R. Griffith, Assistant General Counsel  
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel  
State Bar No. 24052269

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701

P: (512) 305-6811

F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated December 15, 2010.

D/2012.06.19

BEFORE THE TEXAS BOARD OF NURSING



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In the Matter of Registered Nurse           §     AGREED  
License Number 592683                       §  
issued to DENISE PARKS OYLER           §     ORDER.

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

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DENISE PARKS OYLER, Registered Nurse License Number 592 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on October 4, 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(s).
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 an Associate Degree in Nursing from Fresno City College, Fresno, California, on June 1, 1974. Respondent was licensed to practice professional nursing in the State of Texas on August 16, 1993.
5. Respondent's nursing employment history includes:

06/74 - 04/89	GN/RN, Med/Surg, Telemetry Oncology, Home Health	Saint Agnes Medical Center Fresno, California
06/80 - 03/84	Assistant Director of Nursing/ Director of Nursing	Beverly Manor Convalescent Hospital Fresno, California

Respondent's nursing employment history continued:

03/84 - 08/85	Home Health Nurse	Madera Home Health Fresno, California
03/90 - 09/93	Staff Nurse/Case Manager	Kimberly Quality Care Fresno, California
06/91 - 09/93	Case Manager	Interim Health Care Fresno, California
06/92 - 08/94	Skills Evaluator American Red Cross	State Community College System Sacramento, California
03/94 - 02/97	Staff Nurse	Cedar Vista Psychiatric Hospital Fresno, California
06/94 - 02/97	Teacher, Health Science Technology	Fort Worth ISD Fort Worth, Texas
02/97 - 11/98	Medicare Coordinator	Trinity Mission of Burleson Burleson, Texas
07/99 - 07/03	Teacher, Health Science Technology	Northwest High School Fort Worth, Texas
07/01 - 06/08	Weekend Supervisor	Gardens Care Center Fort Worth, Texas
07/08 - Present	Director of Nursing	Wellington Oaks Nursing and Rehabilitation, Fort Worth, Texas

6. At the time of the incident, Respondent was employed as Director of Nursing with Wellington Oaks Nursing and Rehabilitation, Fort Worth, Texas, and had been in this position for one (1) month.
7. During August 15, 2008 through October 8, 2008, while employed as Director of Nursing with Wellington Oaks Nursing and Rehabilitation, Fort Worth, Texas, Respondent failed to institute appropriate nursing interventions for Patient RE who had a diagnosis of Intermittent Explosive Behavior. Respondent failed to ensure a safe environment for the patients. Patient RE was involved in numerous incidents of aggressive behavior toward staff and patients, including hitting, kicking, verbal abuse, and on October 8, 2008, Patient RE bit the thumb of another patient. Respondent's conduct exposed the patients and staff unnecessarily to a risk of physical and emotional injury.

8. In response to Finding of Fact Number Seven (7), Respondent states that she began in the position of Director of Nursing at Wellington Oaks on July 7, 2008. A majority of the facility residents have psychiatric diagnosis and display numerous behavioral problems. The facility takes residents who act out, have hallucinations, experience delusions. They have in-services on the topic of behavior many times a year. On August 14, 2008, only one month after Respondent began working she was informed that they were admitting a patient who was currently at a psychiatric hospital. The resident was agitated several hours after his arrival to the facility. The facility psychiatrist attempted to interview the resident without success. After the resident's behavior escalated they obtained a helmet he had worn at the other facility but he removed it. The resident would slide out of his specialty chair, and staff was working hard to keep the resident and others safe. Respondent states that she and the social worker were finding it difficult to find placement for the resident due to the behavioral problems. The psychiatric hospital he came from would not take him back and the local county hospital that had inpatient psychiatric unit would not take him because of his physical problems (head injury). The incident resulting in the resident biting another resident's finger did not result in broken skin. They immediately reported to the Texas Department on Aging and Disability Services as required. After the surveyor arrived the resident was placed on 1:1 observation to protect him and the other residents until they could get a mental health warrant. The next day the resident was transferred to John Peter Smith Hospital (JPS) under a mental health warrant, later that same day JPS called Respondent and told her they were sending him back and she refused. In every instance in which an impulsive outburst occurred, staff reacted to redirect or protect the Resident.

#### 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)&(M) and 217.12(6)C.
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 592683, heretofore issued to DENISE PARKS OYLER, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED 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(s) is/are 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>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/Training/jointraining.cfm> or by contacting (512) 438-2201.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, 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, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) 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 have reviewed this Order. I neither admit nor deny the violation 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

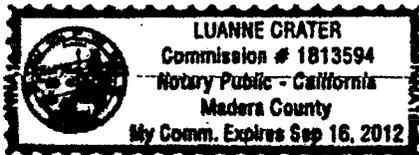
Signed this 23<sup>rd</sup> day of November, 2010.

Denise Parks Oyler  
DENISE PARKS OYLER, Respondent

Sworn to and subscribed before me this 23<sup>rd</sup> day of November, 2010.

SEAL

Luanne Crater  
Notary Public in and for the State of California



Approved as to form and substance.

Glen D. Sanborn  
Glen D. Sanborn, Attorney for Respondent

Signed this 14<sup>th</sup> day of December, 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 23<sup>rd</sup> day of December, 2010, by DENISE PARKS OYLER, Registered Nurse License Number 592683, and said Order is final.



Effective this 15<sup>th</sup> day of December, 2010.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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