BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of License Number 643019	§	AGREED
issued to ANNELIESE AYERS	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of ANNELIESE AYERS, License Number 643019, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered March 22, 2002, 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 an Associate Degree in Nursing from North Harris Montgomery Community College, Houston, Texas, in May 1997. Respondent was licensed to practice professional nursing in the State of Texas on July 15, 1997.

5. Respondent's professional employment history includes:

08/1997 - 04/1998	Staff Nurse (Pediatric)	Texas Children's Hospital Houston, Texas
04/1998 - 09/1998	Staff Nurse (Nursery)	Houston Northwest Medical Center Houston, Texas
10/1999 - 08/2000	Registered Nurse (Agency)	Favorite Nurses Fort Worth, Texas
08/2000 - 09/2001	Supervisor/Staff Nurse	HealthSouth City View Rehabilitation Hospital Fort Worth, Texas

6. At the time of the incident, Respondent was employed as the Supervisor of HealthSouth City View Rehabilitation Hospital, Fort Worth, Texas, and had been in this position for ten (10) months.

7. On or about June 30, 2001, while employed at HealthSouth City View Rehabilitation Hospital in Fort Worth, Texas, Respondent failed to initiate cardiopulmonary resuscitation (CPR) when patient medical record # 702105351 was found unresponsive. Respondent's failure to initiate CPR eliminated any potential resuscitation of the patient.

8. On or about June 30, 2001, while employed at HealthSouth City View Rehabilitation Hospital in Fort Worth, Texas, Respondent failed to assign staff members to the "Code Team" prior to her work shift. Respondent's failure to make assignments resulted in staff confusion and a delay in beginning any resuscitation of the aforementioned patient.

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 a violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(2) & (9).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 643019, heretofore issued to ANNELIESE AYERS, including revocation of Respondent's professional license to practice nursing in the State of Texas.

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 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 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 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-size license issued to ANNELIESE AYERS, to the office of the Board of Nurse Examiners within ten (10) days from 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 nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered 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.

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 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 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 3 day of June, 2002.

Anneliese Ayers

ANNELIESE AYERS, Respondent

Sworn to and subscribed before me this 3rd day of June, 2002.

Sandy Truett

Notary Public in and for the State of Texas

SEAL
SANDY TRUETT
MY COMMISSION EXPIRES
March 10, 2004

Approved as to form ~~and substance.~~

ELIZABETH L. HIGGINBOTHAM, Attorney for Respondent

Signed this 3d day of June, 2002.

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 3rd day of June, 2002, by ANNELIESE AYERS, License Number 643019, and said Order is final.

Effective this **25th** day of **July**, **2002**.

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

Board of Nurse Examiners For the State of Texas

Katherine Thomas, MN, RN, *Executive Director*
Linda Rounds, PhD, RN, *President, Galveston*
Thalia Munoz, MS, RN *Vice-President, Rio Grande City*
Deborah Bell, CLU, ChFC *Abilene*
Virginia Campbell, BSN, RN, CNOR *Mesquite*
Lawrence Canfield, CRNA, MS, Ed *Temple*
Marcelo Laijas, Jr. *Floresville*
Sue McGee, MSN, RN *Amarillo*
Elizabeth Poster, PhD, RN *Arlington*
Phyllis Caves Rawley, CPC *El Paso*

October 15, 2002

Annaliese Ayers, RN
24850 Lakewood Dr.
Spendora TX 77372

Dear Ms. Ayers:

Our office has received all information necessary to clear your license. The Board's records now reflect your successful completion of the requirements of the Order of the Board issued to you July 25, 2002.

Should you have any questions, do not hesitate to contact this office at 512.305.6838.

Sincerely,

Diana Vandiver

Diana Vandiver
Monitoring

Location Address: William P. Hobby Building, Ste. 3-460, 333 Guadalupe Street, Austin, Texas 78701; Mailing Address: P.O. Box 430, Austin, Texas 78767-0430; Phone: (512) 305-7400 (voice), (512) 305-7401(fax); Web Address: www.bne.state.tx.us