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Board of Nurse Examiners For

Location Address: William P. Hobby Building, Ste. 3-460, 333
Phone: (512) 305-7400 Fax: (512) 305-7401

March 11, 2005

Katherine A. Thomas, MN
Executive Director

Certified Mail No. 7002 0860 0007 8853 6969

Return Receipt Requested

Linda Barnes Jackson
Post Office Box 131914
Tyler, Texas 75713

7002 0860 0007 8853 6969

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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	
Sent To <i>Linda Barnes Jackson</i>		
Street, Apt. No.; or PO Box No.		
City, State, ZIP+ 4		
PS Form 3800, April 2002		See Reverse for Instructions

Dear Ms. Jackson:

Enclosed please find an Order of the Board issued on March 9, 2005.

The disposition will be forwarded to the National Council of State Boards of Nursing, Inc., and to the Healthcare Integrity and Protection Data Bank (HIPDB). The results of any disciplinary action are public information.

THIS IS A FINAL ORDER OF THE BOARD. READ THE ORDER CAREFULLY. CONTACT THIS OFFICE AT (512) 305-6838 IF YOU HAVE ANY QUESTIONS OR DO NOT UNDERSTAND ANY PART OF THE ORDER. YOU WILL BE RESPONSIBLE FOR COMPLIANCE WITH THE ORDER WITHOUT FURTHER NOTIFICATION FROM THIS OFFICE.

Sincerely,

Katherine A. Thomas, MN, RN
Executive Director

KAT/CD/cg

Enclosure: Order of the Board

11/95-G

Members of the Board

- | | | | | |
|---------------------------------|---------------------------------------|--|--|---|
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BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 155910 § AGREED
issued to LINDA BARNES JACKSON § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of LINDA BARNES JACKSON, Vocational Nurse License Number 155910, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402(a)(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on December 19, 2004, 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Tyler Junior College on August 11, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on January 12, 1996.

5. Respondent's vocational nursing employment history:

01/1996 - 06/2001	Unknown	
06/2001 - 08/2004	Agency Nurse	Nursefinders of Tyler Staffing Tyler, Texas
09/2004 - Present	Unknown	

6. At the time of the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent was employed as an agency nurse with Nursefinders of Tyler Staffing, Tyler, Texas, had been in this position for one (1) year and two (2) months, and was on assignment at East Texas Medical Center, Tyler, Texas.
7. On or about August 21, 2002, while employed as an agency nurse with Nursefinders of Tyler Staffing, Tyler, Texas, and on assignment at East Texas Medical Center, Tyler, Texas, Respondent failed to assess and evaluate changes in the medical condition of Patient 347454, an eighty-one (81) year-old patient recovering from a recent total knee arthroplasty, whose changes of condition included decreasing blood pressures, increasing pulse rates, and decreased urinary output. Subsequently, Patient 347454 was found by the oncoming nurse in a lethargic state with confused speech and significant hypotension. Shortly thereafter, Patient 347454 became unresponsive and required transfer to the intensive care unit. Respondent's conduct was likely to injure the patient from undetected progression of clinical complications and may have deprived the patient of timely medical interventions needed to stabilize her medical condition.
8. On or about August 21, 2002, while employed as an agency nurse with Nursefinders of Tyler Staffing, Tyler, Texas, and on assignment at East Texas Medical Center, Tyler, Texas, Respondent failed to document in the medical record that Patient 347454 was experiencing decreasing blood pressures, increased pulse rates, and decreased urinary output. Instead, Respondent documented that the patient was resting quietly and in no distress. Subsequently, Patient 347454 was found by the oncoming nurse in a lethargic state with confused speech and significant hypotension. Shortly thereafter, Patient 347454 became unresponsive and required transfer to the intensive care unit. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she was very ill at the time, and had accepted the assignment to help East Texas Medical Center in order to prevent the facility from being short of staff.

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 302.402(a)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(3)&(27)(A), as amended.
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 155910, heretofore issued to LINDA BARNES JACKSON, including revocation of Respondent's license to practice vocational 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 REMEDIAL EDUCATION, 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 Vocational 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 privilege, if any, to practice vocational 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-sized license issued to the office of the Board of Nurse Examiners within ten (10) days of 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 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) 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. 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 Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

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 vocational nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

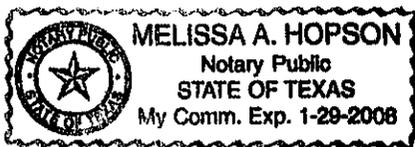
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3 day of February, 2005.

Linda Barnes-Jackson
LINDA BARNES JACKSON, Respondent

Sworn to and subscribed before me this 3 day of February, 2005.

SEAL



Melissa A. Hopson

Notary Public in and for the State of TEXAS

Signed this 3 day of February, 2005.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of 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 February, 2005, by LINDA BARNES JACKSON, Vocational Nurse License Number 155910, and said Order is final.

Effective this 9TH day of March, 2005.



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