



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Permanent § AGREED
Registered Nurse License Number 789731 §
& Vocational Nurse License Number 198633 §
issued to BRYAN THOMAS ALLEN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BRYAN THOMAS ALLEN, Registered Nurse License Number 789731, and Vocational Nurse License Number 198633, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on June 6, 2012, by Katherine A. Thomas, MN, RN, FAAN, 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 representation by counsel, 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. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from San Jacinto College, Pasadena, Texas, on May 14, 2010. Respondent received a Certificate in Vocational Nursing from Lamar State College, Orange, Texas, on December 17, 2004. Respondent was licensed to practice professional nursing in the State of Texas on July 29, 2010. Respondent was licensed to practice vocational nursing in the State of Texas on June 6, 2005.

5. Respondent's nursing employment history includes:

1/2005 - 2/2005	Unknown	
3/2005 - 10/2005	Staff Nurse LVN	Clairmont Nursing and Rehabilitation Beaumont, Texas
11/2005 - 2/2006	Staff Nurse LVN	Collinwood Nursing and Rehabilitation Plano, Texas
2/2006 - 4/2006	Staff Nurse LVN	Vista Ridge Nursing and Rehabilitation Lewisville, Texas
5/2006	Unknown	
6/2006 - 7/2007	Staff Nurse LVN	Supplemental Health Care Dallas, Texas
8/2007 - 3/2011	Charge Nurse RN	The University of Texas Medical Branch Beaumont, Texas
4/2011 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with The University of Texas Medical Branch Correctional Managed Care, and assigned to the Federal Correctional Complex, Beaumont, Texas, and had been in this position for three (3) years and seven (7) months.
7. On or about January 27, 2011, while employed as a staff nurse with The University of Texas Medical Branch Correctional Managed Care, and assigned to the Federal Correctional Complex, Beaumont, Texas, Respondent falsely documented receiving a physician's order for Dermabond skin adhesive and prescription strength Ibuprofen 800mg without contacting the provider. Respondent's conduct resulted in an inaccurate medical record and was likely to deceive subsequent care givers.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states the facility protocol and nursing judgement determine that Dermabond skin adhesive may be applied to wound edges that are well approximated (size less than eight (8) cm in length and less than 0.5 cm in depth). Respondent states he notified the on-call provider, but he corrected the note on a late entry the following morning after it was brought to his attention that buprofen was a protocol.

9. On or about January 27, 2011, while employed as a staff nurse with The University of Texas Medical Branch Correctional Managed Care, and assigned to the Federal Correctional Complex, Beaumont, Texas, Respondent practiced outside his scope of practice by applying Dermabond skin adhesive without a valid physician's order. Respondent's conduct deprived the patient of timely assessment and intervention by the provider.
10. In response to the incident in Finding of Fact Number Nine (9), Respondent states everything he did for the patient was basic routine for all small lacerations unless metal was introduced, and then a Tetanus toxoid injection would be administered. Respondent states the provider signed off on the chart less than eight (8) hours later and signed off again after the correction was made.

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 violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(B),(1)(C)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(6)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 789731, and Vocational Nurse License Number 198633, heretofore issued to BRYAN THOMAS ALLEN, 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 a REMEDIAL EDUCATION AND A FINE, 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, while under the terms of this Order,

this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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.texas.gov/disciplinaryaction/stipscourses.html>

(2) 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 at the following Board website address:*

<http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>

(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. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of two hundred-fifty (\$250.00) dollar amount. RESPONDENT SHALL pay this fine within 45 days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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 waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) 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 ____ day of _____, 20____.

BRYAN THOMAS ALLEN, Respondent

Sworn to and subscribed before me this ____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

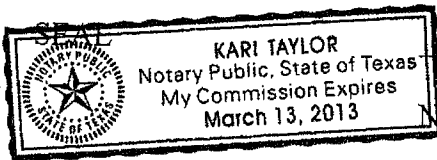
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I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree 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 19 day of July, 2012.

Bryan Thomas Allen, RN
BRYAN THOMAS ALLEN, Respondent

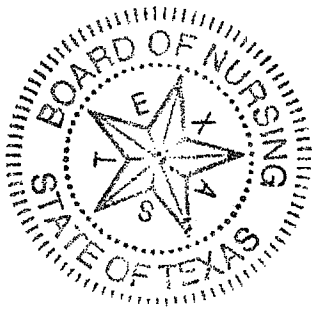
Sworn to and subscribed before me this 19 day of July, 2012.



Kari Taylor
Notary Public in and for the State of Texas

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 19th day of July, 2012, by BRYAN THOMAS ALLEN, Registered Nurse License Number 789731, and Vocational Nurse License Number 198633, and said Order is final.

Effective this 25th day of July, 2012.



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