

0012660



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.
William C. Harman
Executive Director of the Board

BOARD OF VOCATIONAL NURSE EXAMINERS

STATE OF TEXAS

VS.

BARBARA ALINE HARVIN

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 126608 held by BARBARA ALINE HARVIN, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of Article 4528c, Section 10 (a) (9), Revised Civil Statutes of Texas, in the following manner:

I.

a. Respondent was employed as a Licensed Vocational Nurse at Saint Jo Nursing Center in Saint Jo, Texas, on or about January 28, 1995.

b. While so employed, on said date, at about 4:00 p.m., it was reported to Respondent by a co-worker that resident M.D. was having trouble breathing. As a result of said report, Respondent assessed said resident and noted a change in

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condition. Subsequently, Respondent telephoned said resident's physician and received an order to updraft breathing treatment every four (4) hours, if distress continued to notify physician.

c. On said date, from about 4:00 p.m. to about 8:00 p.m., Respondent continued to note a change in resident M.D.'s condition, but failed to notify the physician of said resident's continued distress, as per his orders.

d. On said date, at about 11:16 p.m., resident M.D. was found in her room unresponsive and without respirations at which time she was transported to Nacona General Hospital by the oncoming shift. Subsequently, said resident expired.

e. On said date, the Director of Nurses notified Respondent by telephone that resident M.D. had expired. Further, the Director of Nurses questioned Respondent due to the fact that said resident's Nurse's Notes did not reflect any documentation after 8:00 p.m. Subsequently, Respondent came back to said facility and inappropriately documented in said resident's chart.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Respondent does hereby waive the right to a formal Complaint, Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

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ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED that license number 126608, heretofore issued to BARBARA ALINE HARVIN, to practice vocational nursing in the State of Texas be, and the same is hereby suspended until such time as Respondent enrolls in or is tutored and successfully completes nursing program course(s) encompassing the following areas of study: Legal Aspects of Nursing (to include Charting, & Patient Confidentiality) (at least 8 hours in length), Nursing Assessment (at least 6 weeks in length), and submits proof of successful course completion to the Board office. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to enrollment. Said course(s) shall be in-house at a community college, university, or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent.

It is ordered that upon proof of course enrollment, Respondent shall be issued a temporary license. The temporary license issued to Respondent shall be for the express purpose of meeting the educational requirements of this Board Order. Any attempt by Respondent to practice vocational nursing for remuneration with the temporary license, will result in criminal prosecution.

It is further ordered that upon receipt of said documentation reflecting satisfactory completion of said course(s), the suspension of said license shall be automatically stayed and the license placed on probation for a period of one (1) year.

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The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.
2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Vocational Nurse Act and Rules and Regulations of the Board.
3. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.
4. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a monthly basis for the first six (6) months of probation. Thereafter, and throughout the remainder of said probation, Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.
5. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. four (4).
6. That Respondent shall work only under the direct supervision of a licensed medical professional (M.D., R.N., L.V.N.) who is physically present on the work premises during Respondent's shift assignment(s), throughout the term of probation.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Dated this the 2 day of April, 1996.

Barbara A. Harvin
Signature of Respondent

1201 N. 4th St.
Current Address

Lowell TX 76230
City, State and Zip

817-1-872-2124 or 817-380-9765
Area Code and Telephone Number

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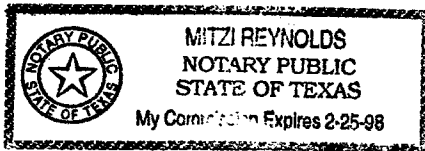
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The State of Texas

County of Montague

Before me, the undersigned authority, on this day personally appeared BARBARA ALINE HARVIN, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

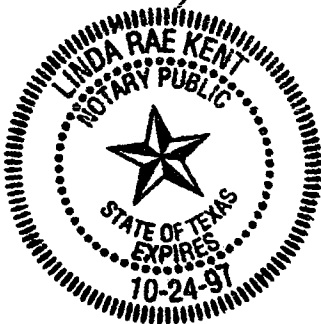
SWORN TO AND SUBSCRIBED before me on this the 2 day of April, 1996.



Mitzi Reynolds
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 2-25-98

Marjorie A. Bronk
Marjorie A. Bronk, R.N.
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 8th day of April, 1996.



Linda Rae Kent
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

APR 05 1996

00126608

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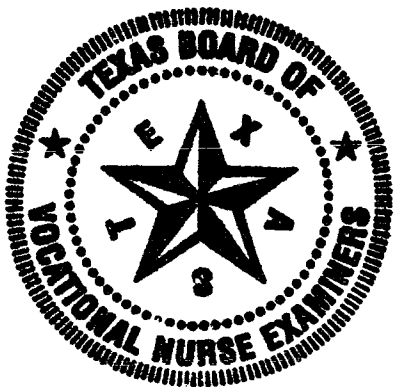
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ENDORSEMENT OF THE BOARD
To The Agreed Board Order
in the matter of Vocational Nurse
License No. 126608
Issued to Barbara Aline Harvin

At its regularly called session, on the 11th day of June, 1996, came on to be considered the indicated Agreed Board Order pertaining to Barbara Aline Harvin. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered on this the 11th day of June, 1996.

William Brown
Carla McCran
Susan L Cherry
Wendy M
Paul Robinson
James Wood
Melba Lee



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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 1996,
a true and correct copy of the foregoing Order was served by placement in the
U.S. Mail, first class, and addressed to the following person(s):

Barbara Aline Harvin
1201 N. Mill
Bowie, Texas 76230

Marjorie A. Bronk, R.N.
Marjorie A. Bronk, R.N.
Executive Director
Agent for the Board of Vocational Nurse Examiners



BOARD OF VOCATIONAL NURSE EXAMINERS

333 GUADALUPE STREET, SUITE 3-400

AUSTIN, TEXAS 78701

512/305-8100

00126608

November 20, 1998

BARBARA HARVIN
915 TAMMY DR
COPPERAS COVE TX 76522

Dear Ms. Harvin:

You have successfully completed your term of probation as stipulated by the Board of Vocational Nurse Examiners.

All pertinent information will remain in your permanent records. We urge you in the future to promote and uphold the ethical standards a Licensed Vocational Nurse should practice.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Hudson".

Carolyn Hudson
Investigator

/ch