

Respondent's vocational nursing employment history continued:

2/06-1/08	LVN	Stoneleigh Estates Nursing Home Lufkin, Texas
1/08-7/08	LVN	Advanced Temporaries Lufkin, Texas
7/08-7/09	LVN	Southland Nursing Home Lufkin, Texas
8/09-5/10	LVN	Parkwood Place Nursing Home Lufkin, Texas
6/10	LVN	Advanced Temporaries Lufkin, Texas
7/10-Present	Unknown	

6. At the time of the initial incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent was employed as a vocational nurse with Advanced Temporaries, Lufkin, Texas, and had been in this position for approximately less than one (1) month.
7. On or about June 19, 2010, while employed with Advanced Temporaries, Lufkin, Texas and working at Shelby Regional Medical Center, Center, Texas, Respondent lacked fitness to practice vocational nursing in that she exhibited impaired behavior while on duty that included, but was not limited to, slurring her speech. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. On or about June 19, 2010, while employed with Advanced Temporaries, Lufkin, Texas, and working at Shelby Regional Medical Center, Center, Texas, Respondent admitted to inadvertently hanging and infusing platelets into Patient #14844, which were intended for another patient. Additionally, Respondent infused O+ platelets into Patient #14844, when said patient's blood type was A+. Respondent's conduct exposed patient to the risk of harm, in that the infusion of unmatched platelets could result in the patient suffering adverse reactions.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states she was given an order to infuse platelets for a patient and adds that a new RN asked her to show & teach her the procedure. Respondent states she showed her and explained why and how they have to confirm it's the right numbers, where to place the stickers in the chart and how to observe the patient and how often. Respondent continues that they didn't even get back to the nurses station after hanging the platelets when she realized they hung it on the wrong patient. Respondent states she admitted her wrong doing and went and stopped the infusion and flushed the IV. Respondent states she went straight to the Administrator and told her the mistake. Respondent states since having Stage 4 Cancer she's had other health issues and lately has only been working PRN.
10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
11. Formal Charges were filed on April 13, 2012.
12. Formal Charges were mailed to Respondent on April 17, 2012.

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 of Section 301.452(b)(10),(12)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C)&(O) and §217.12(1)(A),(1)(B),(1)(E),(4)&(5).
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 179581, heretofore issued to KERRIE ANN GURGANUS, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a LIMITED LICENSE with

STIPULATIONS, 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(2) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

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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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

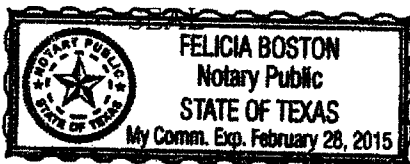
Signed this 13 day of July, 2012.

Kerrie Ann Gurganus
KERRIE ANN GURGANUS, Respondent

Sworn to and subscribed before me this 13 day of July, 2012.

Felicia Boston

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 13th day of July, 2012, by KERRIE ANN GURGANUS, License Number 179581, and said Order is final.

Effective this 14th day of August, 2012.



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