



Katherine A. Thomas
Executive Director of the Board

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.

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 236698 §
issued to HELEN ANN GOERDEL § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of HELEN ANN GOERDEL, Registered Nurse License Number 236698, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated 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 October 4, 2011, 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(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.
4. Respondent received a Baccalaureate Degree in Nursing from Texas Woman's University, Denton, Texas, on May 1, 1976. Respondent was licensed to practice professional nursing in the State of Texas on September 1, 1976.
5. Respondent's nursing employment history includes:

05/76 - 07/05	GN/RN Staff Nurse PICU	Scott & White Hospital Temple, Texas
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Respondent's nursing employment history continued:

08/05 - 09/07	Unknown	
10/07 - 01/08	Staff Nurse	Hamilton Healthcare Center Hamilton, Texas
09/09 - 02/11	Charge Nurse	Forest Oaks Nursing Home Hamilton, Texas
03/11 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Hamilton Healthcare Center, Hamilton, Texas, and had been in this position for eleven (11) months.
7. On or about September 9, 2008, while employed with Hamilton Healthcare Center, Hamilton, Texas, Respondent left Resident Number 27869 on the bathroom floor unattended, without assessing and/or intervening from 0605 until 0655 when a day shift Certified Nurse's Aide found him on the floor and called for help. The day shift Nurse assessed the Resident and he was assisted back to his wheel chair. Respondent's conduct exposed the Resident unnecessarily to a risk of harm from medical complications due to undiagnosed and, consequently, untreated injuries.
8. In response to Finding of Fact Number Seven (7), Respondent states that on September 10, 2008, she was informed by the Director of Nursing and Administrator that the resident was found on the floor with the sink also on the floor. She was working from 22:00 to 06:00, and the oncoming nurse did not arrive until 06:40. When she made rounds after the start of her shift, the resident was in bed, covered with a blanket and his eyes were closed. She instructed the aides that the resident was new and needed to be observed. She checked all the residents several times during the night. From 05:00 through 06:00 she performed fasting blood sugar checks and administered medications. At 06:00 the resident was up in his room. "I talked with him. He stated he wanted to lie down on the floor. I encouraged him to go back to bed. Once I was able to get him back to bed, I removed his shoes, and covered him. He was one of the last 4 residents I was in contact with on my shift at 06:00. At 06:45, she gave report to the LVN on day shift. At 06:50, the day shift aides stated that the resident was on the floor in the bathroom and the sink was lying next to him.
9. On or about December 10, 2010 and December 11, 2010, while employed as a Charge Nurse with Forest Oaks Nursing Home, Hamilton, Texas, Respondent failed to assess and intervene when Resident N. B. complained of pain and when Resident P.E. complained of coughing. Respondent was scheduled to work 3:00 p.m. to 11:00 p.m. on December 10, 2010, and 3:00 p.m. to 7:00 a.m. on December 11, 2010. Respondent's conduct exposed the Residents unnecessarily to a risk of harm from complications due to undiagnosed and, consequently, untreated disease processes.

10. On or about December 11, 2010 and December 12, 2010, while employed as Charge Nurse with Forest Oaks Nursing Home, Hamilton, Texas, Respondent failed to administer Klonopin to Resident N. B., and Ativan to Resident F.M. Respondent's conduct exposed the Residents unnecessarily to a risk of harm from a delay of treatment of their disease process.
11. In response to Finding of Fact Number Nine (9) and Ten (10), Respondent states that she had called in sick and the Administrator told her she had to come in to work. "When Resident P.E. complained of coughing I immediately checked medication record for availability, took medication to her room, and found her sleeping in bed, breathing easily, and without a cough. Resident P.E. frequently complained of coughing." "I would check the medications in the Medication Administration Record (MAR) Book and give them as ordered."
12. On or about February 5, 2011, while working as a Charge Nurse at Forest Oaks Nursing Home, Hamilton, Texas, Respondent failed to change a Foley Catheter for Resident J.S., as scheduled and ordered by the physician. Respondent's conduct exposed the Resident unnecessarily to a risk of harm from medical complications in that failure to change the Foley catheter as scheduled could have resulted in the Resident suffering from a urinary tract infection.
13. On or about February 5, 2011, while employed as a Charge Nurse with Forest Oaks Nursing Home, Hamilton, Texas, Respondent lacked fitness to practice professional nursing in that when the supervisor questioned her regarding the failure to change a resident's Foley catheter, she was unable to carry on a conversation or remember the events of her shift. Respondent would start to say something and then not be able to finish the sentence. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
14. On or about February 13, 2011 and February 14, 2011, while employed as a Charge Nurse with Forest Oaks Nursing Home, Hamilton, Texas, Respondent lacked fitness to practice professional nursing in that while on duty she was found sleeping and unable to perform her RN duties. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
15. In response to Findings of Fact Numbers Twelve (12) through Fourteen (14), Respondent states that "This event never occurred." The Director of Nursing did not speak to me on February 5, 2011. At no time was this issue addressed with her on February 5, 2011. The Treatment Book times had changed from previous month, and it was not due at this time. "When I was terminated on February 15, 2011, the only matter spoken about by the Director of Nursing, was the allegation of sleeping on the job on the February 13 - 14th shift which I deny and continue to deny."

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),(1)(B),(1)(C),(1)(D), (1)(M),(1)(P),(1)(T)&(3)(A) and 217.12(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 Registered Nurse License Number 236698, heretofore issued to HELEN ANN GOERDEL, 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 REPRIMAND 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, 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 Texas Board of Nursing 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.state.tx.us/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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 at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

(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 at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(4) 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. *Information regarding Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. These

reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

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 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 20th day of January, 2012.

Helen Ann Goerdel
HELEN ANN GOERDEL, Respondent

Sworn to and subscribed before me this 50th day of January, 2012.

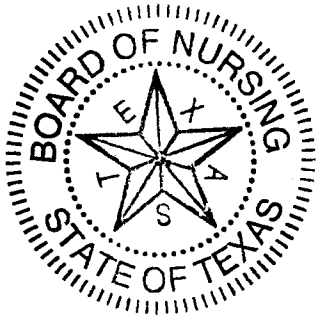
SEAL

Carlianne Hofferber
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 20th day of January, 2012, by HELEN ANN GOERDEL, Registered Nurse License Number 236698, and said Order is final.

Effective this 14th day of February, 2012.



Katherine A. Thomas

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

I certify this to be a true copy of the records on file with th Texas Board of Nursing.

Date: _____

Signed: _____