



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.
Patricia P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Family Nurse Practitioner § AGREED
& Registered Nurse License Number 698141 §
issued to JEANNE YVETTE CONTRERAS § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that JEANNE YVETTE CONTRERAS, hereinafter referred to as Respondent, Family Nurse Practitioner with Prescriptive Authority and Registered Nurse License Number 698141, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on November 1, 2011, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Edgardo R. Báez, Attorney at Law. In attendance were Mary Beth Thomas, PhD, RN, Director of Nursing, Executive Director's Designee; Lance Brenton, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Kathy Duncan, RN, Investigator.

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 notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas, and is currently authorized as a Family Nurse Practitioner with Prescriptive Authority in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from The University of Texas Health Science Center in San Antonio, Texas, on May 14, 2003. Respondent was licensed to practice professional nursing in the State of Texas on July 15, 2003. Respondent received

a Master's Degree in Nursing, specializing as a Family Nurse Practitioner, from Texas A&M University, Corpus Christi, Texas, in May 15, 2010. Respondent received authorization from the Board as a Family Nurse Practitioner with Prescriptive Authorization in the State of Texas on September 2, 2010.

5. Respondent's professional nursing employment history includes:

2003-2005	Staff Nurse	Methodist Hospital Neuro Intensive Care Unit San Antonio, Texas
2005-2007	Case Manager	Vitas Innovative Hospice San Antonio, Texas
2007-2009	School Nurse	Southwest Independent School District San Antonio, Texas
6/2009-4/2010	Staff Nurse	Southwest General Hospital Emergency Room San Antonio, Texas
5/2010-Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse in the Emergency Room of Southwest General Hospital, San Antonio, Texas, and had been in this position for nine (9) months.
7. On or about March 24, 2010, while employed as a Staff Nurse in the Emergency Room of Southwest General Hospital, San Antonio, Texas, and assigned to care for Patient Medical Record Number D1008300044, Respondent failed to assess and intervene and escalate to a higher authority the patient's increased cardiac enzymes and the continued complaints of chest pain. Instead, she accepted the patient's diagnosis of pneumonia and transferred the patient to the Intensive Care Unit without reporting critical cardiac enzyme lab values. Respondent formulated clinical care decisions based upon incomplete assessment information. Respondent's conduct exposed the patient unnecessarily to a risk of harm from a delay in emergency medical care that was needed to prevent further complications, including the patient's possible demise.
8. On or about March 24, 2010, while employed as a Staff Nurse in the Emergency Department of Southwest General Hospital, San Antonio, Texas, and while assigned to care for Patient Medical Record Number D1008300044, Respondent failed to accurately and completely report and document nursing care rendered. Respondent's conduct resulted in an inaccurate, incomplete medical record, and was likely to injure the patient in that subsequent care givers would rely on her documentation in order to provide further patient care.

9. On or about March 24, 2010, while employed as a Staff Nurse in the Emergency Department of Southwest General Hospital, San Antonio, Texas, and while assigned to care for Patient Medical Record Number D1008300044, Respondent failed to reassess the patient's glucose level after administering ½ ampule of Dextrose 50. Respondent's conduct exposed the patient unnecessarily to a risk of harm from acute adverse reactions, including hypoglycemia, hyperglycemia, seizures, confusion, unconsciousness and possible death, due to sub-therapeutic levels of medications to manage the patient's low blood sugar.
10. On or about March 24, 2010 while employed as a Staff Nurse in the Emergency Department of Southwest General Hospital, San Antonio, Texas, and while assigned to care for Patient Medical Record Number D1008300044, Respondent failed to report the patient's abnormal glucose level to the intensive care nurse during patient hand off report. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her reported information in order to provide further patient care.
11. In response to the incidents in Findings of Fact Numbers Seven (7) through Ten (10), Respondent states that Patient Medical Record Number D1008300044 had an electrocardiogram performed before the lab results were know. Although the electrocardiogram showed Sinus Tachycardia with Acute MI, the physician crossed something out on the printed results, wrote Non STEMI, and stated that they were not going to do anything at that time other than order some cardiac enzymes. Respondent states that she questioned the physician as to why it stated "Acute MI", and if it could be due to her respiratory distress/anxiety and he stated yes. After entering the lab orders in the computer and checking on the patient, the physician stated that the patient's glucose level had come back as a 53, and to give her 1/2 ampule of Dextrose 50. During this time, the patient again complained of chest pain, and Respondent asked the physician if they could give her something for pain. The physician stated that the patient probably ended up this way because she was a drug seeker and he was not comfortable ordering anything at this time. Respondent went in to tell the patient that she was not given an order, but that if the pain continued, she would ask the physician again. At one point, the patient's systolic blood pressure dropped down to the high 80s, and the physician ordered a 1 liter bolus of Normal Saline. After Respondent administered the Normal Saline, the patient's systolic blood pressure returned to the low 100's and stayed between the 90's and 100's for the remainder of the time in Respondent's care. Respondent then received admission orders and states that the patient did not complain of chest pain any more, but did begin having nausea and vomiting. Her emesis was clear and had some pink in it at times, with no bright red blood noted. The physician ordered Zofran 4mg intravenously, which Respondent administered immediately. After about 30 minutes, the patient began vomiting again, and the physician gave a repeat order for Zofran 4mg intravenously. Respondent states that the patient did not have any more vomiting while in her care.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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 301.452(b)(10)&(13), Texas Occupations Code, and 22 Tex. Admin. Code §217.11(1)(A),(1)(B),(1)(D), (1)(M),(1)(P)&(3)(A) and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Family Nurse Practitioner with Prescriptive Authority and Registered Nurse License Number 698141, heretofore issued to JEANNE YVETTE CONTRERAS, 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 is 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.texas.gov/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete an academic course in advanced practice physical assessment with a minimum passing grade of not less than "C" or "Pass" if using a "Pass/Fail" grading system. The academic course SHALL BE for at least three (3) semester credit hours, including not less than one (1) semester credit hour, or three (3) clock hours per week, of clinical practicum. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Instruction SHALL BE provided by an Advanced

Practice Registered Nurse. RESPONDENT SHALL perform physical assessments on live patients in the clinical practicum component; 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, available from the Board's website at <http://www.bon.texas.gov/disciplinaryaction/pdfs/i17.pdf>, 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 and in addition to any continuing education requirements the Board has for relicensure.

(3) 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>

(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. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/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 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) Should Respondent choose to practice as a Registered Nurse without using her authorization as a Family Nurse Practitioner, while under the terms of this Order:

RESPONDENT SHALL be directly supervised by a Registered Nurse for the first year of employment. Direct supervision requires another Registered Nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention;

RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises for the second year of employment. 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; and

RESPONDENT SHALL CAUSE quarterly reports, regarding RESPONDENT'S capability to practice nursing, to be submitted to the Board. Report forms will be provided to Respondent by the Board. Reports shall be completed by the Registered Nurse who supervises the RESPONDENT, and the completed reports shall be submitted by the supervisor to the office of the Board at the end of each three (3) month period for two (2) years of employment.

(8) Should RESPONDENT choose to practice as a Family Nurse Practitioner, while under the terms of this Order:

RESPONDENT SHALL be directly supervised by a Physician or a Family Nurse Practitioner for the first year of employment. Direct supervision requires another Physician or Family Nurse Practitioner to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. 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;

RESPONDENT SHALL CAUSE quarterly reports, regarding RESPONDENT'S capability to practice nursing, to be submitted to the Board for the first year of employment.

Report forms will be provided to Respondent by the Board. Reports shall be completed by the Physician or Family Nurse Practitioner who supervises the RESPONDENT, and the completed reports shall be submitted by the supervisor to the office of the Board at the end of each three (3) month period for the first year of employment; and

RESPONDENT'S practice shall be monitored by a Board approved Physician or Family Nurse Practitioner for the second year of employment. RESPONDENT shall provide a list with the following credentialing information for three (3) potential monitors: name, license number or social security number, educational background and professional employment history. The Board will select an approved monitor from the list, and monitoring shall commence not later than thirty (30) days following the date that RESPONDENT receives the Board's notification of the approved monitor. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth in this Order do not reoccur. RESPONDENT SHALL meet with the monitor at least twice each month. Each meeting must be at least one (1) hour in duration; however, meetings may be longer and/or more frequent if determined needed or necessary by the monitor. Multiple employers are prohibited. RESPONDENT SHALL ensure that the monitor submits quarterly reports to the Board. Reports shall address RESPONDENT'S progress in overcoming the deficiencies noted by this Order and shall be submitted at the end of each three (3) month period for second year of employment.

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.

RESPONDENT'S CERTIFICATION

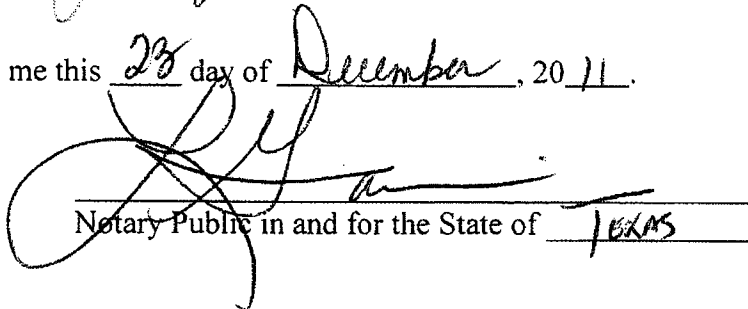
I understand that I have the right to legal counsel prior to signing this Agreed Order.

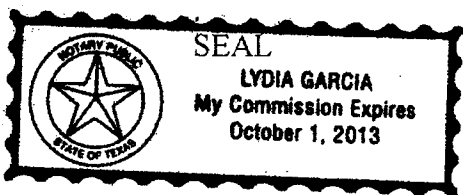
I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. 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 23 day of December, 2011.

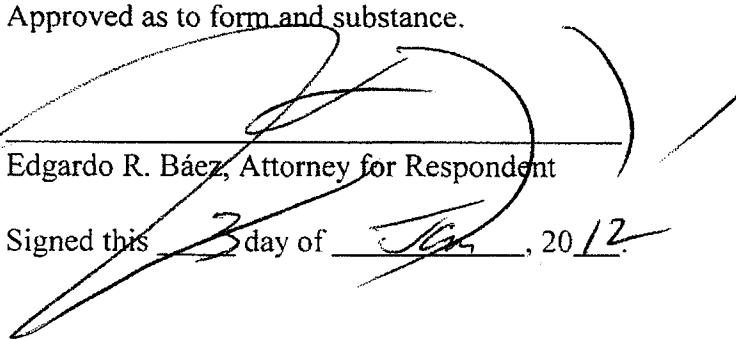

JEANNE YVETTE CONTRERAS, Respondent

Sworn to and subscribed before me this 23 day of December, 2011.


Notary Public in and for the State of TEXAS



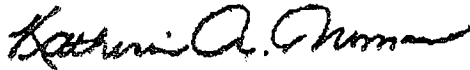
Approved as to form and substance.


Edgardo R. Báez, Attorney for Respondent

Signed this 3 day of Jan, 2012.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 23rd day of December, 2011, by JEANNE YVETTE CONTRERAS, Family Nurse Practitioner and Registered Nurse License Number 698141, and said Order is final.

Effective this 14th day of February, 2012.



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