



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 Registered Nurse § AGREED
 License Number 711095 §
 issued to MARY CATHERINE COMPEAN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of MARY CATHERINE COMPEAN, Registered Nurse License Number 711095, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(12), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on December 7, 2011, by Katherine A. Thomas, MN, RN, FAAN, 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 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 Diploma in Nursing from Mercy Hospital, Des Moines, Iowa on July 7, 1963 and a Master's Degree in Nursing from the University of Wisconsin, Madison, Wisconsin in 1990. Respondent was licensed to practice professional nursing in the State of Texas on November 8, 2004.
5. Respondent's nursing employment history includes:

1963 - 1979	Staff Nurse	Unknown
		Various Facilities

Respondent's nursing employment history continued:

2/1979 - 8/1984	Chemical Dependency Nurse	Mercy Medical Center Dubuque, Iowa
8/1984 - 6/1991	AND Instructor	Technical Colleges Wisconsin
9/1986 - 8/1989	Charge Nurse	Meriter Hospital Madison, Wisconsin
9/1989 - 12/1992	Psychiatric Nurse	University of Wisconsin Madison, Wisconsin
12/1992 - 4/1993	Nurse Clinician	Vennebu Center Waunakee, Wisconsin
11/1993 - 10/1994	Detoxification Specialist	Hazelden Treatment Center Center City, Minnesota
2/1995 - 12/1996	Agency RN	Firstat Nursing Services Edina, Minnesota
3/1996 - 12/1996	Detoxification Specialist	Twin Town Treatment Center Saint Paul, Minnesota
7/1997 - 6/1999	Gero-psychiatric Nurse	Central Washington Comprehensive Mental Health Yakima, Washington
2/200 - 8/2001	Nurse Supervisor	Yakama Nation Area Agency on Aging Toppenish, Washington
11/2002 - 11/2004	Agency RN	Washington and Oregon
9/2005	Red Cross Volunteer	Kelly USA Shelter San Antonio, Texas
4/2006 - 11/2009	Psychiatric Nurse	San Antonio State Hospital San Antonio, Texas

Respondent's nursing employment history continued:

12/2009 - Present Unknown

7. At the time of the initial incident, Respondent was employed as a psychiatric nurse with San Antonio State Hospital, San Antonio, Texas and had been in this position for two (2) years and ten (10) months.
8. On or about February 2009 through November 17, 2009, while employed with San Antonio State Hospital, San Antonio, Texas, Respondent may have lacked fitness to safely practice nursing in that Respondent had hand tremors that were so pronounced that she could not perform essential functions of nursing practice. Witnesses observed Respondent's request assistance in steadying a stethoscope while listening to bowel sounds, drawing blood, giving injections, difficulty in obtaining EKG tracings and performing accuchecks.
9. In response to Finding of Fact Number Eight (8), Respondent states that she was hired on April 6, 2006 at San Antonio State Hospital with full awareness of her condition of essential tremor. Respondent responds she had never been trained to use the available EKG machine so she called an LVN from another unit who was able to operate the machine and assist her.
10. On December 5, 2011, the Board received a letter from Daniel Hyun, M.D. who states Respondent has been under his care for essential tremor, which is a slowly progressive disease. Dr. Hyun states that in April 2010, Respondent underwent deep brain stimulation (DBS) and since then, has been doing well on current management. Additionally, Dr. Hyun states that Respondent "...has had no difficulty using a stethoscope, giving injections, obtaining EKG tracings or performing accuchecks, making her an ideal candidate to teach nursing.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(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 711095, heretofore issued to MARY CATHERINE COMPEAN, 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 WARNING 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 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 ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) 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:

(3) 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.

(4) 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.

(5) RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports

involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(6) 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 one (1) YEAR 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 licensc(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 have reviewed this Order. I neither admit nor deny the violation 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 3rd day of January, 2012.

Mary Catherine Compean
MARY CATHERINE COMPEAN, Respondent

Sworn to and subscribed before me this 3rd day of January, 2012.

SEAL



Maria W. Martinez

Notary Public in and for the State of Texas

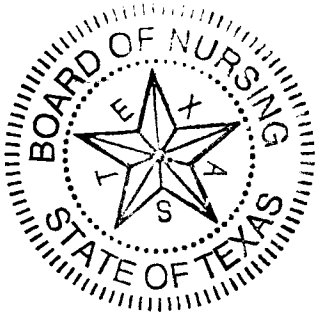
Approved as to form and substance.

Malinda A. Gaul
Malinda A. Gaul, Attorney for Respondent

Signed this 3rd day of January, 2012.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 3rd day of January, 20 12, by MARY CATHERINE COMPEAN, Registered Nurse License Number 711095, and said Order is final.

Effective this 14th day of February, 20 12.



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: _____