



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 § AGREED
Registered Nurse License Number 578357 §
& Vocational Nurse License Number 70482 §
issued to CYNTHIA B SAUNDERS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CYNTHIA B SAUNDERS, Registered Nurse License Number 578357, and Vocational Nurse License Number 70482, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 25, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

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 and holds a license to practice vocational nursing in the State of Texas which is Inactive.
4. Respondent received a Certificate in Vocational Nursing from Lamar School of Vocational Nursing, Port Arthur, Texas, on September 17, 1976 and received an Associate Degree in Nursing from Lamar University- Orange, Orange, Texas, on December 1, 1991. Respondent was licensed to practice vocational nursing in the State of Texas on November 19, 1976 and was licensed to practice professional nursing in the State of Texas on March 17, 1992.
5. Respondent's nursing employment history includes:

08/76 - 07/79	LVN Staff Nurse	Good Shepherd Hospital Longview, Texas
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Respondent's nursing employment history continued:

07/79 - 08/80	LVN Staff Nurse Radiology	Monette Community Hospital Monette, Missouri
08/80 - 01/81	LVN Staff Nurse/ER	Orange Memorial Hospital Orange, Texas
01/81 - 08/83	LVN Staff Nurse Med/Surg & ICU	All Saints Episcopal Hospital Fort Worth, Texas
10/83 - 07/86	LVN Staff Nurse Neuro ICU	Harris Methodist Hospital Fort Worth, Texas
08/86 - 12/87	LVN Staff Nurse ICU	Safford Community Hospital Safford, Arizona
12/87 - 01/91	LVN Staff Nurse ICU & ER	Doctor's Hospital Groves, Texas
01/93 - 08/93	Instructor/LVN Program	Lamar University Beaumont, Texas
01/91 - 08/93	Charge Nurse/ER	St. Mary Hospital Port Arthur, Texas
08/93 - 01/97	Surgical Circulating Nurse/ED/ICU	Mobridge Regional Hospital Mobridge, South Dakota
01/97 - 02/02	Staff Nurse/ICU Pulmonology	Med Center I Medical Center Bismarck, North Dakota
02/01 - 02/02	Clinical Coordinator Med/Surg/Trauma/ICU	Med Center I Medical Center Bismarck, North Dakota
02/02 - 09/04	Staff Nurse/ED	St Alexius Medical Center Bismarck, North Dakota
08/02 - 12/05	Staff Nurse/ED/ICU	American Mobile San Diego, California
12/05 - 06/06	Staff Nurse/ED	Scott & White Medical Center Temple, Texas
02/07 - 07/07	Staff Nurse ED/ICU	Methodist Health System San Antonio, Texas

Respondent's nursing employment history continued:

01/09 - 08/09	ED Educator	Baptist Health System San Antonio, Texas
05/09 - 08/09	Staff Nurse/ED	University Health System San Antonio, Texas
08/09 - 08/10	ED Educator	University Health System San Antonio, Texas
09/10 - Present	Trauma Clinical Coordinator	Antelope Valley Hospital Lancaster, California

6. At the time of the incident, Respondent was employed as ED Educator with the University Health System, San Antonio, Texas, and had been in this position for eleven (11) months.
7. On or about July 17-18, 2010, while employed with the University Health System, San Antonio, Texas, Respondent coordinated the Emergency Nurse Pediatric Course and issued a continuing education certificate, awarding fifteen hours (15) and thirty-three minutes (33) of continuing education and a certification card to Staff Member AE who did not attend the course. A copy of the continuing education certificate and certification card were placed in the staff member's personnel file to verify attendance to the required course. Respondent's conduct was likely to deceive the employer who relied on the information to verify the staff member's attendance, continuing education hours and certification.
8. In response to Finding of Fact Number Seven (7), Respondent states that she takes full blame and Staff Member AE was not trying to deceive anyone. Respondent states she had over obligated herself in early 2010 in assisting the Austin and San Antonio area in ENP and TNCC courses. She was assisting with Instructor courses and also as instructor so that the nurses could receive their required education to maintain their certifications. She was also trying to train instructors because she was moving out of state to take a Trauma Coordinator position in California. She was a full time employee of University Health System where she was the educator for 172 employees. She was also President-Elect of the San Antonio Chapter of the ENA. "This is no way an excuse for my lack of attention to CE's that were awarded. Because of the amount of tremendous paperwork I had to complete and keep up with, those I was mentoring were assisting in completion of the required paperwork by the information that I had given them. The paperwork for this class was not turned in immediately and the tests and roster was in a stack on my desk with other classes I had assisted with. When the paperwork was filled in, I failed to let it be known that April had tested out. I had been placing the test outs on class rosters until the later part of last year when National ENA Course Ops informed me that I needed to have a separate course number assigned for test outs if they did not test out on the same day of the class. Because I did have

her sign the class roster and did not double check the actual summary performance report for accuracy before I mailed it to the ENA April received the CE's because I failed to communicate the proper information. The certification card is attached to the CE awards. I did not hand April her certification card form immediately because she worked for University Health System and I usually kept them to make a copy and place in their Education Folder since I had to maintain a current copy of all certifications being the ED educator. I was very busy and when I had time, made a copy of the certification and then placed the form in April's work mailbox. I believe there was some question as to why April's certificate was not in her ED Education Folder. After turning in my resignation, I left stacks for filing, copying etc and her certificate was probably in the folder to be filed. April was questioned. April did not lie and told them she had not attended the class but had tested out. She did not try to hide anything and readily stated that the CE's received were not appropriate and that she had not used them nor had intention of using them. The two continued to tell April that her ENPC card was invalid and that she would have to retake the entire course. This was incorrect information. The ENA allows for test out and the problem was not that she did not successfully complete her certification but that I had awarded the CE's. Once again, I apologize for the awarding of CE's that were inappropriate and I take full responsibility for what was submitted. By the Course Ops requirements, all my test outs will receive a separate course number and I am reviewing all paperwork diligently to assure that this will not happen again."

9. Respondent submitted verification of her successful completion of the Board approved course "Nursing in Texas: Protecting Your Patients and Your Practice" dated June 22, 2012, which would have been required under this Order.

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(s) of 22 TEX. ADMIN. CODE §217.12(6)(A) & (6)(H).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 578357, and Vocational Nurse License Number 70482, heretofore issued to CYNTHIA B SAUNDERS, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of a REMEDIAL EDUCATION AND A FINE, 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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(3) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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.

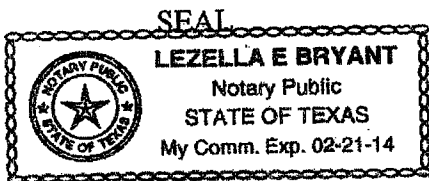
RESPONDENT'S CERTIFICATION

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 violation(s) 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 when this Order becomes final and the terms of this Order become effective, 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 9 day of August, 2012.

Cynthia B Saunders
CYNTHIA B SAUNDERS, Respondent

Sworn to and subscribed before me this 9 day of August, 2012.



Lezella E Bryant
Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn R. Mackay
Taralynn Mackay, Attorney for Respondent

Signed this 20th day of August, 2012.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 9th day of August, 2012, by CYNTHIA B SAUNDERS, Registered Nurse License Number 578357, and Vocational Nurse License Number 70482, and said Order is final.



Effective this 22nd day of August, 2012.

Katherine A. Thomas

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