



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 543246 §
issued to MARY ANN RABOIN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of MARY ANN RABOIN, Registered Nurse License Number 543246, 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 19, 2011, by Katherine A. Thomas, MN, RN, 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 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 Salve Regina College, Newport, Rhode Island, on May 23, 1976. Respondent was licensed to practice professional nursing in the State of Texas on December 17, 1987.
5. Respondent's nursing employment history includes:

09/1977 - 04/1988	Hospitals, Clinics, Recruiting Flight Nurse	United States Air Force Nurse Corps Washington, Philippines PA, Spain, Texas
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Respondent's nursing employment history continued:

05/1988 - 04/1990	Registered Nurse (RN)	Health Department Homeless Primary Care Fort Worth, Texas
05/1990 - 02/1991	Unknown	
03/1991 - 12/1991	Public Health Nurse	Indian Health Services Chinli, Arizona
01/1992	Unknown	
02/1992 - 12/1994	RN	Fort Worth State School Fort Worth, Texas
01/1995 - 05/1995	RN	Harris Methodist Hospital Fort Worth, Texas
06/1995 - 07/1995	Unknown	
08/1995 - 12/1999	Team Leader RN	Kaiser Permanente HMO Fort Worth, Texas
11/1999 - 02/2002	Team Leader RN	JPS Health Network Fort Worth, Texas
03/2002 - 12/2002	Unknown	
01/2003 - 07/2004	RN	Bridgeway Health Services Fort Worth, Texas
08/2004 - 02/2005	Unknown	
03/2005 - 05/2005	RN	Bridgeway Health Services Fort Worth, Texas
06/2005 - 05/2006	Community Based Alternative (CBA)	North Central Texas Home Care
06/2006 - 09/2006	Unknown	
10/2006 - 07/2009	CBA	Jordan Health Services Fort Worth, Texas

Respondent's nursing employment history continued:

08/2009 - Present

Unknown

6. At the time of the initial incident, Respondent was employed as a Community Based Alternative with Jordan Health Services, Fort Worth, Texas, and had been in this position for two (2) years and eight (8) months.
7. On or about June 25, 2009, through June 30, 2009, while employed with Jordan Health Services, Arlington, Texas, Respondent failed to ensure that Patient Medical Record Number 417571701 had the necessary insulin syringes for insulin administration. Consequently, the patient was unable to self-administer insulin, which was needed to control his blood glucose level. Respondent's conduct put the patient at risk for clinical complications associated with hyperglycemia.
8. On or about June 25, 2009, through July 1, 2009, while employed with Jordan Health Services, Arlington, Texas, Respondent failed to assess Patient Medical Record Number 417571701, who was without insulin syringes and unable to self-administer insulin, which was required to control his blood glucose level. Respondent's conduct was likely to injure the patient in that he was not monitored for symptoms and/or complications of hyperglycemia.
9. On or about July 9, 2009, while employed with Jordan Health Services, Arlington, Texas, Respondent inappropriately used "white out" to alter the medical record of Patient Medical Record Number 12459001. Respondent's conduct resulted in an incomplete and inaccurate medical record.
10. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that this patient was a participant in the Community Based Alternative services program and she was assigned to assess this patient 4 times a year and had just been to see him sometime late in May or early June 2009. According to Respondent, on June 25, 2009, the patient called and requested syringes and other supplies, so she submitted the order to the Medical Supply Clerk. Respondent states that on June 29, 2009, the patient called and stated he had not received the syringes, so Respondent re-submitted the order. Respondent states that on July 1, 2009, she purchased syringes at the store and took them to the patient's house. Respondent asserts that she questioned the patient about his physical condition. In response to Finding of Fact Number Nine (9), Respondent states that a nursing Plan of Care must be completed every 6 months and as of March 3, 2009, the authorization period for said patient to receive Community Based Alternative Services was May 1, 2008 through April 30, 2009. Respondent explains that sometime after March 3, 2009, the patient was reauthorized for Community Based Alternative services for another year so she updated the Plan of Care to reflect the new coverage period.

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 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) 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 Registered Nurse License Number 543246, heretofore issued to MARY ANN RABOIN, 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 REMEDIAL EDUCATION, 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:

(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 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>

(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.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, 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

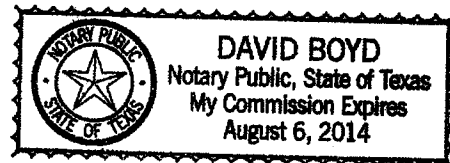
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 9th day of November, 2011.
Mary Ann Raboin
MARY ANN RABOIN, Respondent

Sworn to and subscribed before me this 9th day of November, 2011.

SEAL

David Boyd II
Notary Public in and for the State of Texas



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 November, 2011, by MARY ANN RABOIN, Registered Nurse License Number 543246, and said Order is final.



Effective this 15th day of November, 2011.

A handwritten signature in cursive script, reading 'Katherine A. Thomas', is written over a horizontal line.

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