

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

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In the Matter of  
Registered Nurse License Number 667967 and  
Licensed Vocational Nurse Number 147234  
issued to KIMBERLY E. IVY

§ AGREED  
§  
§ ORDER  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KIMBERLY E. IVY, Registered Nurse License Number 667967 and Vocational Nurse License Number 147234, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), 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. Respondent's license to practice vocational nursing in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from McLennan County Community College, Waco, Texas, on December 17, 1993. Respondent was licensed to practice vocational nursing in the State of Texas on June 13, 1994. Respondent received an Associates Degree in Nursing from McLennan County Community College, Waco, Texas on May 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on April 4, 2000.
5. Respondent's nursing employment history includes:

6/1994 - 6/1995	Staff Nurse	Hillcrest Baptist Medical Center Waco, Texas
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## Respondent's nursing employment history continued:

7/1995 - 6/1997	Unknown	
7/1997 - 7/1999	Staff Nurse	Providence Health Center Waco, Texas
8/1999 - 1/2000	Administrative	Kerrville Medical Associates Kerrville, Texas
2/2000 - 8/2000	Unknown	
9/2000 - 5/2007	Charge Nurse	Sid Peterson Hospital Kerrville, Texas
6/2007 - 8/2007	Unknown	
9/2007 - 3/2009	Staff Nurse	Providence Health Center Waco, Texas
4/2009 - 5/2010	Case Manager	Providence Health Center Waco, Texas
6/2010 - Present	Case Manager	Scott and White Health Plan Temple, Texas

6. At the time of the initial incident, Respondent was employed as a Case Manager with Providence Health Center, Waco, Texas, and had been in this position for one (1) year and one (1) month.
7. On or about May 24, 2010 while working as a Case Manager RN at Providence Healthcare Network, Waco, Texas, Respondent altered the physician's orders to change the status of Patient Medical Record Number # 632796 Acct. #102020790 from "observation" to "inpatient". Respondent's conduct was likely to deceive other caregivers who needed complete information on which to base their care.
8. In Response to Finding of Fact Number Seven (7), Respondent admits allegation and states she was in a hurry and only asked the charge nurse if the physician would mind changing the patient's status from 23 hours observation to inpatient. Respondent states she changed the order and realizes that she should have called the physician. Respondent admits that the choice that she made was wrong, but no harm came or could have come to the patient.

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)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(1)(N) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(6)(A).
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 667967 and Licensed Vocational Nurse License Number 147234, heretofore issued to KIMBERLY E. IVY, 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 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:

(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 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>

(3) 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>

(4) RESPONDENT SHALL pay a monetary fine monitoring fee in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty- five (45) days of entry of this Order days of the suspension being stayed. 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.

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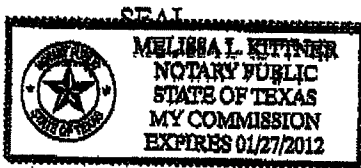
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RESPONDENT'S CERTIFICATION

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 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 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 7<sup>th</sup> day of November, 2011.  
Kimberly E. Ivy  
KIMBERLY E. IVY, Respondent

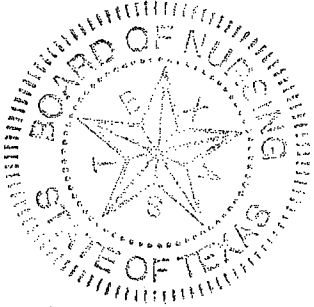
Sworn to and subscribed before me this 7<sup>th</sup> day of November, 2011.



Melissa L. Kittner  
Notary Public in and for the State of 01/27/2012

Approved as to form and substance.

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 7th day of November, 2011, by KIMBERLY E. IVY, Registered Nurse License Number 667967 and Vocational Nurse License Number 147234, and said Order is final.



Effective this 9th day of November, 2011.

*Katherine A. Thomas*

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