



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.
Mary Beth Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 628251 §
issued to JANICE GAIL CORKILL § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the B produced evidence indicating that JANICE GAIL CORKILL, hereinafter referred to as Respondent, Registered Nurse License Number 628251, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on May 24, 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 Jason Partney, Attorney at Law. In attendance were Mary Beth Thomas, Phd, RN, Executive Director's Designee; Kyle Hensley, 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.
4. Respondent received an Associate Degree in Nursing from The University of Arkansas at Little Rock, Little Rock, Arkansas, on May 1987. Respondent was licensed to practice professional nursing in the State of Texas on May 21, 1996.

5. Respondent's nursing employment history includes:

6/87-9/89	Staff nurse	University Hospital Little Rock, Arkansas
10/89-7/96	Staff nurse	Children's Hospital of Oklahoma Oklahoma City, Oklahoma
3/97-1/10	NICU	Medical City Dallas Hospital Dallas, Texas
2/10-Present	Staff Nurse	Interim Health Care Dallas, Texas

6. At the time of the incident, Respondent was employed as a Staff Nurse in the Neonatal Intensive Care Unit (NICU) with Medical City Dallas Hospital, Dallas, Texas, and had been in this position for twelve (12) years and nine (9) months.
7. On or about January 7, 2010, while employed as a staff nurse in the Neonatal Intensive Care Unit, with Medical City Children's Hospital, Dallas, Texas, Respondent told Baby Boy R, to "shut the hell up" and when he continued to cry Respondent placed a wadded dry mesh towelette in his mouth and told him, "here suck on this". When the baby continued to fidget, Respondent used her hand to cover his mouth with the towelette still in his mouth. Respondent's conduct exposed the infant unnecessarily to a risk of harm from medical complications as a result from his inability to breathe.
8. In response to the finding of fact numbers Seven (7) and Eight (8), Respondent states the infant lacked coordination in sucking and swallowing and thus produced abnormally great amounts of saliva. In my experience in the NICU, it is customary practice to use a dry wipe when trying to prevent movement of a tube in an infant's mouth during a procedure, such as holding an endotracheal tube still during taping. I placed dry wipes/towelettes in the patient's mouth to prevent the patient from gagging by decreasing movement of the repogle tube. If I made any comments that sounded in any way offensive, I am deeply, deeply sorry. Such comments would have never been directed to a patient. I have a very dry sense of humor that I employ to ease the stress of the NICU. In hindsight, I realize that my comment was not in good taste...I would never tell a patient to "shut the hell up" out of malice or frustration. Any comments were directed to the other nurse who was assisting me, and they were not intended to be malicious.

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)(M) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(6)(C).
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 628521, heretofore issued to JANICE GAIL CORKILL, 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 this workshop may be found at the following web address: <http://learningext.com/hives/a0f6f3e8a0/summary>.

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 ONE (1) YEAR(S) 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. 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. 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 be supervised by a Registered Nurse who is on the premises. 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. 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.

(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 Registered 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 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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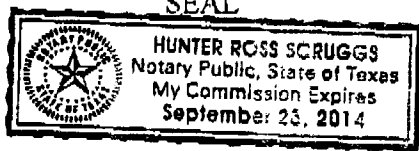
RESPONDENT'S CERTIFICATION

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 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 20th day of June, 2011.

Janice Gail Corkill
JANICE GAIL CORKILL, Respondent

Sworn to and subscribed before me this 20th day of JUNE, 2011.



Hunter Ross Scruggs

Notary Public in and for the State of TEXAS

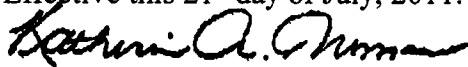
Approved as to form and substance.

Jason Partney
Jason Partney, Attorney for Respondent

Signed this 22 day of June, 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of June, 2011, by JANICE GAIL CORKILL, Registered Nurse License Number 628251, and said Order is final.

Effective this 21st day of July, 2011.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 628251 issued to § AGREED ORDER
JANICE GAIL CORKILL §

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of JANICE GAIL CORKILL, license number 628251, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(9), Revised Civil Statutes of Texas, as amended. Respondent waived representation by counsel, informal conference, notice, hearing and agreed to the entry of this Order offered on December 18, 1997, by Katherine A. Thomas, MN, RN, 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.
2. Respondent waived representation by counsel, informal conference, notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in Texas.
4. Respondent received an Associate Degree in Nursing from The University of Arkansas at Little Rock, Little Rock, Arkansas, in May 1987.

5. Respondent's professional employment history includes:

6/87 - 9/89	Staff Nurse University Hospital Little Rock, Arkansas
10/89 - 7/96	Staff Nurse Children's Hospital of Oklahoma Oklahoma City, Oklahoma
7/96 - 2/97	Staff Nurse Children's Medical Center of Dallas Dallas, Texas
2/97 - present	Unknown

6. At the time of the incident, Respondent was employed as a Staff Nurse with Children's Medical Center of Dallas, Dallas, Texas, and had been in this position for seven (7) months.
7. On or about February 19, 1997, while employed with the aforementioned facility, Respondent falsified narcotic sheets for February 17 and 18, 1997, by documenting the narcotic count when she did not actually count the narcotics. Respondent's conduct was likely deceive the facility as she placed the facility in possible violation of Health and Safety Code §483.049.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, 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 Article 4525(b)(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(5).
4. The evidence received is sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 628251, heretofore issued to JANICE GAIL CORKILL.

AGREED SANCTIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a Warning with Stipulations, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and this Order.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to JANICE GAIL CORKILL, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. 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 must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content should include the Nursing Practice Act, standards of practice, and documentation of care. 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 is to be taken in addition to any continuing education requirements the Board may have for relicensure.

(3) RESPONDENT SHALL pay a monetary fine in the amount of \$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 Board of Nurse Examiners 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, RESPONDENT SHALL be issued an unencumbered license to practice professional nursing in the State of Texas.

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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 and consent to the Findings of Fact, Conclusions of Law, the Agreed Sanctions, and any condition stated in this 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.

Signed this 12 day of JANUARY, 1998.

Janice Gail Corkill
JANICE GAIL CORKILL

Sworn to and subscribed before me this 12 day of JANUARY, 1998.

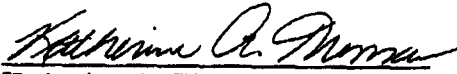
SEAL



Jennifer K. Kincaid
Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 12th day of January, 1998, by JANICE GAIL CORKILL, license number 628251, and said Order is final.

Effective this 10th day of February, 1998.


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