



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 Vocational Nurse § AGREED
License Number 175238 §
issued to CARIN MARIE SPENCER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bc considered the matter of CARIN MARIE SPENCER, Vocational Nurse License Number 175238, 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 February 13, 2009, 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.
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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Angelina College, Jasper, Texas on July 24, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on February 10, 2000.
5. Respondent's vocational nursing employment history includes:

2/00-10/00	Unknown
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Respondent's vocational nursing employment history continued:

11/00-5/01	LVN	Sunbridge Rehabilitation Orange, Texas
5/00-5/01	LVN	St. Mary's Hospital Port Arthur, Texas
6/01-12/01	LVN	Aureaus Medical Omaha, NE
1/02-1/07	LVN	Hillcrest Health System Waco, Texas
2/07-Present	Unknown	

6. At the time of the initial incident, Respondent was employed with Hillcrest Health System, Waco, Texas, and had been in this position for approximately four (4) years and ten (10) months.
7. On or about November 6, 2006, while employed with Hillcrest Baptist Medical Center, Waco, Texas, Respondent referred to a patient as a "stupid ass patient" in the presence of or near vicinity of said patient, other patients, and the public. Respondent's conduct was likely to cause emotional injury to the patient and could have interfered or disrupted this patient's treatment.
8. On or about January 6, 2007, while employed with Hillcrest Baptist Medical Center, Waco, Texas, Respondent failed to follow the proper policy and procedure for the placement of patient identification in that she failed to ensure that Patient R.W.'s patient identification armband was accurate and from his current admission. Respondent's conduct could have delayed patient's treatment in that other care takers would rely on proper identification to treat patient.
9. On or about January 6, 2007, while employed with Hillcrest Baptist Medical Center, Waco, Texas, Respondent became rude and argumentative with a coworker when that coworker refused to draw Patient R.W.'s blood without proper and current identification. Subsequently, Respondent took the patient's identification sticker and stuck it to the patient's forehead and made the comment, "Look. See, it's Mr. W. Now you can draw his blood!" Respondent's conduct was likely to cause emotional injury to the patient and could have interfered or disrupted this patient's treatment.
10. Respondent states she has never heard anything regarding the Findings of Fact Number Seven (7) and she has no memory of it. Respondent states the patient's armband had a

different admission number from being admitted previously, however the name and date of birth remained the same and the patient's wife was at the bedside and could have identified the patient. Respondent states after the lab tech refused to draw the blood, due to the armband not being current, out of sheer frustration she placed the label on the patient's forehead and stated "now he is labeled you can draw his blood". Respondent states she was instantly mortified by her behavior.

11. Formal Charges were filed on December 12, 2008.
12. Formal Charges were mailed to Respondent on December 19, 2008.

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)&(B) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4)&(6)(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 175238, heretofore issued to CARIN MARIE SPENCER, including revocation of Respondent's license to practice vocational 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 REMEDIAL EDUCATION WITH 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 this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure 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) contact 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://www.learningext.com/products/generalce/critical/ctabout.asp>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). 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 and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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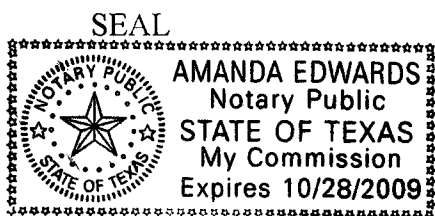
RESPONDENT'S CERTIFICATION

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 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 13 day of March, 2009.

Carin Marie Spencer
CARIN MARIE SPENCER, Respondent

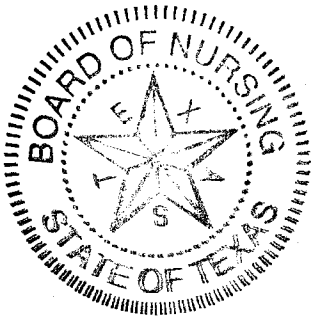
Sworn to and subscribed before me this 13th day of MARCH, 2009.



Amanda Edwards
Notary Public in and for the State of Texas, Hill
County

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 13th day of March, 2009, by CARIN MARIE SPENCER, Vocational Nurse License Number 175238, and said Order is final.

Effective this 17th day of March, 2009.



Katherine A. Thomas

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