

Respondent's professional nursing employment history continued:

05/06-06/07	RN	Faith Hospice Irving, Texas
06/07-01/08	RN	Visiting Nurse Association Dallas, Texas
02/08-07/08	Unknown	
08/08-Present	RN	Journey Hospice Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Visiting Nurse Association, Dallas, Texas, and had been in this position for approximately three (3) months.
7. Between the dates of September 11, 2007 and January 18, 2008, while employed as a Registered Nurse with the Visiting Nurse Association of Texas, Dallas, Texas, Respondent submitted fraudulent records indicating her reimbursable mileage in excess of her actual mileage, and as a result, received excess compensation in the amount of \$2,373. Respondent's conduct deceived and defrauded the facility of a value or benefit, specifically monetary income.
8. In response to Finding of Fact Number Seven (7), Respondent stated, "I never got the opportunity to finish my training or orientation. The Visiting Nurses Association uses a laptop computer system for all patient information and input. The Program isn't user friendly and it was difficult at times just trying to do patient input and maneuvering around within the program from one screen to another."
9. Respondent provided a letter of support from her current employer dated October 8, 2008, in which Mery Beth Manz, Executive Director, Journey Hospice, states that she has known the Respondent for several years and has always found her to be truthful, honest and very professional. She also states that her job performance has been remarkable and she has received wonderful reports from clients and staff. Additionally, she states that she would comply with the Board's request to monitor and submit documentation in regards to Respondent's job performance.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(A)(G)&(H).
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 646698, heretofore issued to DONNA RENEE PARTRIDGE, including revocation of Respondent's license to practice professional 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 this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

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 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 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.

(2) RESPONDENT SHALL pay RESTITUTION to Visiting Nurse Association, Dallas, Texas, in the amount of two thousand three hundred seventy-three dollars (\$2,373) with credit given for two thousand two hundred twenty-three dollars (\$2,223) already paid, leaving a balance of one hundred fifty dollars (\$150). RESPONDENT SHALL pay this amount within one (1) year of entry of this Order. RESPONDENT SHALL provide the Texas Board of Nursing with a receipt from Visiting Nurse Association showing that the restitution has been paid in full.

(3) 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>.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR 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) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer in professional 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.

(5) RESPONDENT SHALL CAUSE each present employer in professional 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.

(6) During the stipulation period, RESPONDENT may continue to work at Journey Hospice, Dallas, Texas, under the supervision of Mery Beth Manz, RN, Executive Director, or a designated alternate supervising nurse, who must be available by telephone while RESPONDENT is on duty. RESPONDENT SHALL meet in person at least twice per month with her Supervisor. During the stipulation period, RESPONDENT SHALL ensure that the supervisor submits reports addressing RESPONDENT's documentation of mileage for reimbursement, as well as RESPONDENT's general capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT, and submitted directly by the supervisor to the office of the Board at the end of each three (3) months for one (1) year of employment as a professional nurse. Additionally, the Supervisor, or a designee, will make periodic phone calls to random patients assigned to the RESPONDENT to evaluate nursing care, and to assure that documented visits are being performed. The Supervisor will notify the Board of Nursing immediately of any patient complaints regarding RESPONDENT. SHOULD RESPONDENT cease to work at Journey Hospice, Dallas, Texas, the following stipulations shall apply:

(7) 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(s). 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.

(9) 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 year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, 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 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 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 22 day of January, 2009.

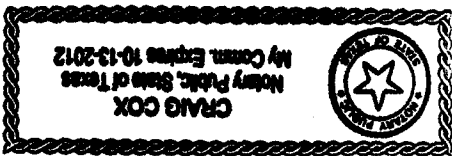
Donna Renee Partridge
DONNA RENEE PARTRIDGE, Respondent

Sworn to and subscribed before me this 22 day of January, 2009.

SEAL

Cheryl

Notary Public in and for the State of Texas.



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22nd day of January, 2009, by DONNA RENEE PARTRIDGE, Registered Nurse License Number 646698, and said Order is final.

Effective this 10th day of March, 2009.



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