



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 § AGREED  
Vocational Nurse License Number 193945 §  
issued to PEGI JOYCE FRISBIE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PEGI JOYCE FRISBIE, Vocational Nurse License Number 193945, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 3, 2013, 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(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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Nursing from Amarillo College, Amarillo, Texas on May 21, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on July 6, 2004.
5. Respondent's nursing employment history includes:

7/2004 - 2007	Staff Nurse	Veterans Administration Hospital Amarillo, Texas
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Respondent's nursing employment history continued:

2/2008 - Present      Staff Nurse      Texas Tech Health Science Center  
Amarillo, Texas, assigned to  
Texas Department of Criminal Justice  
(TDCJ) WP Clements Unit  
Amarillo, Texas

6. At the time of the initial incident, Respondent was employed as a staff nurse with Texas Tech Health Science Center, Amarillo, Texas, assigned to TDCJ, WP Clements Unit, Amarillo, Texas, and had been in this position for one (1) year and eight (8) months.
7. On or about October 29, 2009, while working as a staff nurse with Texas Tech University Health Science Center, Amarillo, Texas, assigned to W.P. Clements Unit of the TDCJ, Amarillo, Texas, Respondent was verbally inappropriate with a patient being evaluated for testicular pain. Subsequently, Respondent created a "jock strap" made out of hypafix tape and attached it behind the nurse's station where other patients could view it as they came into the clinic to receive care. Additionally, Respondent sang an inappropriate song regarding the patient with testicular pain. Respondent's conduct was abusive and violated the patient's right to privacy by disclosing confidential information related to his healthcare.
8. On or about January 6, 2010, through January 8, 2010, while working as a staff nurse with Texas Tech University Health Science Center, Amarillo, Texas, assigned to the W.P. Clements Unit of the TDCJ, Amarillo, Texas, Respondent placed fourteen (14) unprocessed sick call requests for patients in her locker, which she did not find until January 24, 2010. Respondent's conduct was likely to injure the patients from untreated disease processes and in that subsequent caregivers would rely on inaccurate documentation of unprocessed sick call requests in patients' records.
9. On or about March 12, 2010, while working as a staff nurse with Texas Tech University Health Science Center, Amarillo, Texas, assigned to the W.P. Clements Unit of the TDCJ, Amarillo, Texas, Respondent made sexually inappropriate comments in front of patients that were receiving insulin injections. Respondent's conduct was abusive and violated professional role boundaries.
10. On or about March 13, 2011, while employed as a staff nurse with Texas Tech Health Science Center, Amarillo, Texas, assigned to the W.P. Clements Unit of the Texas Department of Criminal Justice, Amarillo, Texas, Respondent failed to ensure Offender Number 1069598 was transported to the infirmary for monitoring and further assessment after he fell from the top bunk bed, had numbness and tingling in his arms, and had neck pain. Respondent's conduct deprived the TDCJ inmate of timely medical intervention when he experienced a change in condition following a fall off the top bunk bed.
11. On or about March 13, 2011, while employed as a staff nurse with Texas Tech Health

Science Center, Amarillo, Texas, assigned to the W.P. Clements Unit of the TDCJ, Amarillo, Texas, Respondent failed to document in the medical record the results of a blood sugar level she performed on Offender Number 1069598 after he had fallen from the top bunk bed, had numbness and tingling in his arms, and had neck pain. Respondent's conduct resulted in an incomplete medical record and was likely to injure the patient in that subsequent care givers would not have accurate information on which to base their care decisions.

12. In response to Findings of Fact Numbers Seven (7) through Eleven (11), Respondent states that, regarding Offender Number 1069598, she accompanied a registered nurse to assess an inmate who had fallen off his bunk and obtained a glucometer finger stick and reported the results to her. Respondent adds that as a vocational nurse she does not triage patients when a registered nurse is available. Since the RN obtained the results of the glucometer finger stick first hand, Respondent assumed she would record the results in the patient's medical record. In response to Finding of Fact Number Seven (7), Respondent admits that jokes were made in reference to generalized testicular conditions by other staff members stating she was amused and laughed. Respondent denies telling any jokes and having any involvement with the "hypafix tape jock strap." Respondent does admit singing an inappropriate song, and Respondent further states the incident did not occur in front of other patients/offenders. In response to Finding of Fact Number Eight (8), Respondent states she shared a locker with two (2) other staff members and states when she found the unprocessed sick calls, she telephoned HN, Director of Nursing. Respondent was instructed to process the unprocessed sick calls immediately. In response to Finding of Fact Number Nine (9), Respondent states she said "I don't want to be a part of this conversation because it may result in me getting written up again for it."

#### 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(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D),(1)(E),(1)(L)&(2) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(C),(6)(D)&(6)(E).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 193945, heretofore issued to PEGI JOYCE FRISBIE, 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.texas.gov/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.texas.gov/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Patient Privacy," a 5.4 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.texas.gov/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. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

**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 AND RESPONDENT MUST WORK IN SUCH 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:**

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). 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(s). 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.

(6) 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.

(7) RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational 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.

(8) 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 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(s) 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.

BALANCE OF THIS INTENTIONALLY LEFT BLANK.

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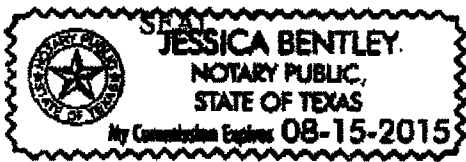
RESPONDENT'S CERTIFICATION

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(s) 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 19 day of April, 2013.

Pegi Joyce Frisbie  
PEGI JOYCE FRISBIE, RESPONDENT


Sworn to and subscribed before me this 10<sup>th</sup> day of April, 2013.



Jessica Bentley  
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 10th day of April, 2013, by PEGI JOYCE FRISBIE, Vocational Nurse License Number 193945, and said Order is final.

Effective this 14th day of May, 2013.



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