



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 Registered § AGREED
Nurse License Number 525324 §
issued to KATHLEEN F. CLOYD § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KATHLEEN F. CLOYD, Registered Nurse License Number 525324, 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), 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 April 18, 2013.

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.
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4. Respondent received an Associate Degree in Nursing from Tarrant County Junior College, Fort Worth, Texas on May 1, 1985. Respondent was licensed to practice professional nursing in the State of Texas on August 28, 1985.
 5. Respondent's nursing employment history includes:

09/1986 to 01/1990	Charge RN	Psychiatric Institute Fort Worth, TX
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Respondent's nursing employment history continued:

01/1990 to 02/1993	Charge RN	Charter Hospital Fort Worth, TX
02/1993 to 08/1995	DON	Bedford Meadows Hospital Grapevine, TX
08/1995 to 05/1998	Admin.	First American Home Care St. Louis, MO
05/1998 to 12/2000	V.P Admin.	Nursefinders Arlington, TX
01/2001 to 07/2003	Unknown	
08/2003 to 02/2004	Charge RN	Rivercrest Psychiatric Hospital San Angelo, TX
02/2004 to 06/2010	Admin.	Outreach Health Services Abilene/Garland/San Antonio, TX
07/2010 to 02/2011	Director	Encompass Home Health Fort Worth, TX
02/2011 to 05/2011	Consultant	Solutions Consulting, Inc. Mansfield, TX
05/2011 to 06/2011	Admin.	Stonegate Care Team Garland, TX
06/2011 to Present	COO	Stonegate Care Team Lewisville, TX

6. At the time of the incident described in Finding of Fact Number Seven (7), Respondent was employed as a Registered Nurse, Chief Operating Officer with Stonegate Care Team, Lewisville, TX, and had been in this position for approximately one (1) year.
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7. On or about January 1, 2012 through September 1, 2012, while employed as a Chief Operating Officer with Stonegate Care Team, Lewisville, Texas, Respondent assigned a Licensed Vocational Nurse (LVN) to duties involving telephonic triage that included comprehensive assessments and independent decision making, which were outside the scope of practice for a Licensed Vocational Nurse. Respondent's conduct failed to promote a safe environment for patients in that she delegated duties to an LVN which could have resulted in unsafe or ineffective patient care.

8. In response to Finding of Fact Number Seven (7), Respondent states she did not function as the Agency Administrator and was not responsible for making on-call assignments. Respondent further states that all on-call assignments made by the Administrator were to RNs.

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)&(S) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(D).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 525324, heretofore issued to KATHLEEN F. CLOYD, 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 a REMEDIAL EDUCATION, 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.texas.gov/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. *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 "Delegating Effectively," a 4.2 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>.*

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 may 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(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 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 1st day of July, 2013.

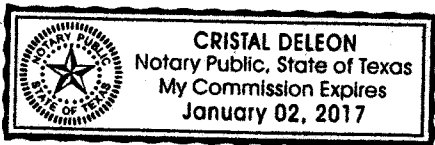
Kathleen Cloyd
KATHLEEN F. CLOYD, Respondent

Sworn to and subscribed before me this 1 day of July, 2013.

SEAL

Cristal De Leon

Notary Public in and for the State of TEXAS



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 1st day of July, 2013, by KATHLEEN F. CLOYD, Registered Nurse License Number 525324, and said Order is final.

Effective this 3rd day of July, 2013.



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