



Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 567267 §
issued to DEBRA LYNN BARGANIER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEBRA LYNN BARGANIER, Registered Nurse License Number 567200, 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)(2)&(10), 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 June 10, 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.
4. Respondent received an Associate Degree in Nursing from El Centro College, Dallas, Texas, on May 1, 1987. Respondent was licensed to practice professional nursing in the State of Texas on March 18, 1991.
5. Respondent's professional nursing employment history includes:

07/1987 - 09/1991	RN	RHD Medical Center Dallas, Texas
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Respondent's professional nursing employment history continued:

09/1991 - 09/1993	RN	American Nursing Inc. Agency Dallas, Texas
05/1992 - 10/1994	RN	KQC Solution/Olson/Flying Nurses Agency Dallas, Texas
10/1993 - 03/1995	RN	Health Staffers Agency Chicago, Illinois
03/1995 - 06/1997	RN	Plastic Surgery Center, Inc. Honolulu, Hawaii
07/1997 - 06/1999	RN	KMC For Women and Children Honolulu, Hawaii
07/1999 - 10/1999	Unknown	
11/1999 - 07/2002	RN	RHD Memorial Hospital Dallas, Texas
07/2001 - 06/2007	RN	Skilled Medical & Affiliates Rockwall, Texas
07/2001 - 06/2007	RN	Staff Search Dallas, Texas
02/2002 - Present	RN	Med Staffing, Inc. Dallas, Texas
04/2002 - Present	RN	Advantage Nursing Services, Inc. Dallas, Texas
02/2005 - 06/2007	RN	Pinecreek Medical Center Dallas, Texas
06/2007 - Present	RN	Plastic & Cosmetic Surgery Center Plano, Texas
06/2007 - Present	RN	PRO Touch Agency Dallas, Texas

Respondent's professional nursing employment history continued:

06/2009 - Present	RN	American Healthcare LLC Dallas, Texas
06/2009 - Present	RN	Core Med Agency Dallas, Texas
12/2011 - Present	RN	Dallas Medical Center Dallas, Texas

6. On or about May 23, 2012, Respondent disclosed to the Texas Board of Nursing that she provided false, deceptive and/or misleading information when submitting license renewal forms to the Board in that she answered "no" to the questions regarding criminal convictions.

Respondent failed to disclose that on or about July 29, 1988, she entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED, a Class B misdemeanor offense committed on or about July 31, 1987, in the Dallas County Court of Dallas, Texas, under Cause No. MB8715439. Furthermore, Respondent failed to disclose that on or about November 15, 1991, she was convicted of DRIVING WHILE INTOXICATED 2ND, a Class A misdemeanor offense committed on or about December 1, 1990, in the Dallas County Court of Dallas, Texas, under Cause No. MA9026803.

7. In response to the incident in Finding of Fact Number Six (6), Respondent states that she was ashamed, embarrassed, and scared of losing her nursing license, so she always answered with a no. Respondent adds that she is sorry and wishes she had told the truth in the beginning.

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 §217.12(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 567267, heretofore issued to DEBRA LYNN BARGANIER, 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 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, 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 pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). 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(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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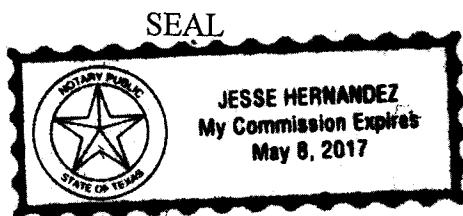
RESPONDENT'S CERTIFICATION

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 17 day of July, 2013.

Debra Lynn Bargarner
DEBRA LYNN BARGANIER, Respondent

Sworn to and subscribed before me this 17 day of July, 2013.



J. Hernandez
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 17th day of July, 2013, by DEBRA LYNN BARGANIER, Registered Nurse License Number 567267, and said Order is final.

Effective this 23rd day of July, 2013.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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