



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.
Melanie Rubinsky
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Family Nurse Practitioner	§	AGREED
with Prescriptive Authorization and	§	
Registered Nurse License Number 699746	§	
issued to DANIEL EUGENE SQUYRES	§	ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that DANIEL EUGENE SQUYRES, hereinafter referred to as Respondent, Family Nurse Practitioner with Prescriptive Authorization and Registered Nurse License Number 699746, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was held on May 28, 2013, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Melanie Rubinsky, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, FAAN, Executive Director; Kristin Benton, MSN, RN, Director of Nursing; Nikki Hopkins, Assistant General Counsel; Jolene Zych, PhD, RN, WHNP-BC - Advanced Practice Nurse Consultant; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Skylar Caddell, RN, Nurse Investigator Specialist; Nicole Binkley, RN, Advanced Practice Nurse Consultant; Valerie Walsh, Investigator; and Toni Frizell, RN, CNOR, Investigator.

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 notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent is currently authorized to practice as a Family Nurse Practitioner with Prescriptive Authorization in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Victoria College, Victoria, Texas, on July 18, 2003. Respondent received a Master's Degree in Nursing from Texas A&M University-Corpus Christi, Corpus Christi, Texas on May 16, 2009. Respondent received a Doctorate in Nursing Practice from the University of Alabama, Birmingham, Alabama in May 2012. Respondent was licensed to practice nursing in the State of Texas on August 12, 2003, and was authorized by the Board to Practice as a Family Nurse Practitioner with Prescriptive Authorization in the State of Texas on July 9, 2009.

5. Respondent's nursing employment history includes:

2003 - 5/2009	Staff Nurse	Detar Healthcare System Victoria, Texas
2007 - 5/2009	Nursing Professor	Victoria College Victoria, Texas
5/2009 - 3/2010	Family Nurse Practitioner	Twin Fountains Walk-In Clinic Victoria, Texas
11/2009 - Present	Family Nurse Practitioner	Community Health Center of South Texas
11/2009 - 11/2011	Family Nurse Practitioner	Gonzales Community Health Clinic Gonzales, Texas
11/2011 - Present	Family Nurse Practitioner	Luling Community Health Clinic Luling, Texas
1/2011 - Present	Clinical Preceptor	Texas Tech University, A&M University - Corpus Christi and The University of Houston Victoria, Texas

6. At the time of the initial incident, Respondent was employed as a Family Nurse Practitioner with Twin Fountains Urgent Care Center, PLLC, d/b/a Twin Fountains Walk-in Clinic, Victoria, Texas, and had been in this position for six (6) months.

7. On or about November 27, 2009, while employed as a Family Nurse Practitioner with Twin Fountains Urgent Care Center, PLLC, d/b/a Twin Fountains Walk-in Clinic, Victoria, Texas, Respondent failed to adequately assess and evaluate Patient AMH, who had a history of Type II Diabetes Mellitus and who presented with vomiting, dizziness, fever, respiratory distress and decreased blood Oxygen level. Respondent did not assess the patient's hydration status, check the patient's blood sugar level or order blood testing, or have a chest x-ray performed. Additionally, Respondent failed to completely document his assessment findings, including the patient's breath sounds or whether there were crackles, rubs, or wheezing present in the patient's lungs. Based upon his evaluation of the patient, Respondent diagnosed acute bronchitis and prescribed an antibiotic and respiratory inhalers; however, Respondent did not document his discharge teaching or follow-up instructions given to the patient. Two (2) days later, the patient presented to a local hospital emergency room and was diagnosed with Hyperglycemic Hyperosmolar, Non-Ketotic Syndrome. The patient died four (4) days later.
8. In response to Finding of Fact Number Seven (7), Respondent acknowledges the incomplete documentation but states that he firmly believes the care he provided to AMH complies in all respects with the standard of care. Respondent states AMH was an asthmatic who came in with symptoms of an upper respiratory infection and complained of a cough that had lasted for four (4) days. However, Respondent noted that AMH ambulated on her own, her gait was normal, she was oriented times three (3), and she was not complaining of any shortness of breath. Respondent contends the other alleged symptoms were not present on the day he saw her at the clinic. Respondent states that AMH was specifically instructed that should her condition worsen, she should either contact her primary care physician or report to the emergency department. Respondent states that it was the next day when AMH contacted Dr. McNeill to inform him she was still not feeling better and instead of going to the hospital, she returned to the clinic, where she was seen by the physician's assistant.
9. Respondent presented a wealth of mitigating evidence, including:
 - A. A certificate of completion for 448.5 AMA PRA Category 1 Credits taken in the UpTo Date course attended between June 1, 2010 to April 29, 2011.*
 - B. A certificate of completion for 438 AMA PRA Category 1 Credits taken in the UpTo Date course attended between April 21, 2009 to January 31, 2010.*
 - C. A certificate of completion for 172 AMA PRA Category 1 Credits taken in the UpTo Date course attended between June 7, 2008 to February 4, 2010.*
 - D. A certificate of completion for 371 AMA PRA Category 1 Credits taken in the UpTo Date course attended between April 2, 2009 to September 30, 2009.*
 - E. A certificate of completion for 380.5 AMA PRA Category 1 Credits taken in the UpTo Date course attended between February 8, 2010 to May 28, 2010.*
 - F. Undergraduate academic transcripts from Texas A & M University - Corpus Christi, Texas indicated a GPA of 3.820.
 - G. Evidence showing that Respondent earned a Doctorate in Nursing Practice from the University of Alabama, Birmingham, Alabama, in May 2012, involving more than six hundred (600) hours of instruction. Specifically, Respondent took six hundred

(600) hours of coursework specializing in treatment and assessment of patients with diabetes since the above occurred.

- H. Positive evaluations from Community Health Centers of South Central Texas, Inc., and Gonzales Community Health Center. Letters of support regarding Respondent's care of the referenced patient from David R. Sprouse, M.D., Family Practice Associates P.A. and Thomas Blevins, M.D., Texas Diabetes & Endocrinology stating that Respondent demonstrated good judgment, professionalism, accountability and character, and that Respondent has otherwise been a leader in his profession and community, and has served as a fine example for other nurses.
- I. A binder containing many examples of Respondent's work, including written protocols for calculating BMI (Body Mass Index) and supervising a behavioral weight loss program; and lecture outlines for Diabetes Mellitus and Medical Assistant Training.
- J. A statement explaining the circumstances of the incident described above wherein Respondent took full responsibility for his actions and described the measures he has taken to correct his practice.
- F. A statement from Dr. John L. McNeill, M.D. stating that the patient's condition and ultimate demise were not the result of any omission or act of the Respondent; rather, they reflected the final stages of a lengthy and terminal disease process which had already negatively affected virtually all of the patient's bodily functions. Dr. McNeill went on to state Respondent has become a star of his organization and is passionate with the care of his patients.

* Credits were awarded for a variety of topics, including, but not limited to drug dose and interactions for a wide variety of medications, diagnosis and treatment of diseases such as meningitis, encephalitis, and tuberculosis in adults and children, cross-cultural care and communication, and a wide variety of courses related to diabetes and kidney disease.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(B),(1)(D),(1)(M),(3)(A)&(4)(A) and 22 TEX. ADMIN. CODE §217.12(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Family Nurse Practitioner with Prescriptive Authorization and Registered Nurse License Number 699746, heretofore issued to DANIEL EUGENE SQUYRES, 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 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 "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 AS AN ADVANCED PRACTICE NURSE 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) LICENSE WITH ADVANCED PRACTICE AUTHORIZATION WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer, practice site and/or credentialing agency 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, practice site

and/or credentialing agency in nursing within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers, practice sites and/or credentialing agencies 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, practice site and/or credentialing agency in nursing prior to accepting an offer of employment and/or assignment.

(5) RESPONDENT SHALL CAUSE each present employer, practice site and/or credentialing agency in nursing to submit the Board's "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, practice site and/or credentialing agency in nursing to submit the Board's "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) RESPONDENT SHALL CAUSE each employer, practice site and/or credentialing agency in nursing to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(7) RESPONDENT SHALL CAUSE each employer and/or practice site 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 clinician who supervises the RESPONDENT. These reports shall be submitted by the supervising clinician 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.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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 7th day of July, 2013.
D. Eugene Squyres
DANIEL EUGENE SQUYRES, Respondent

Sworn to and subscribed before me this 7th day of July, 2013.

SEAL

Karen Jean Morton
Notary Public in and for the State of Texas



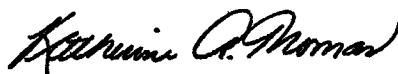
Approved as to form and substance.

Melanie Rubinsky
Melanie Rubinsky, Attorney for Respondent

Signed this 10 day of July, 2013.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 7th day of July, 2013, by DANIEL EUGENE SQUYRES, Family Nurse Practitioner with Prescriptive Authorization and Registered Nurse License Number 699746, and said Order is final.

Effective this 6th day of August, 2013.



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