

IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 704866
ISSUED TO
MICHELLE RENEE BARNHART

§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY
AND
DISCIPLINARY COMMITTEE



Patricia A. Parnham
Executive Director of the Board

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.

ORDER OF THE BOARD

TO: MICHELLE RENEE BARNHART
5407 S. 250 W.
NORTH JUDSON, IN 46366

During open meeting held in Austin, Texas, on , the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that , Permanent Registered Nurse License Number 704866, previously issued to MICHELLE RENEE BARNHART, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 6th day of August, 2013.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed June 4, 2013.

Re: , Permanent Registered Nurse License Number 704866
Issued to MICHELLE RENEE BARNHART
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of August, 2013, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

MICHELLE RENEE BARNHART
5407 S. 250 W.
NORTH JUDSON, IN 46366

Via USPS First Class Mail

BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of	§	BEFORE THE TEXAS
Permanent Registered Nurse	§	
License Number 704866	§	
Issued to MICHELLE RENEE BARNHART,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MICHELLE RENEE BARNHART, is a Registered Nurse holding License Number 704866 which is in Delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about November 15, 2006 through November 21, 2006 while working as a RN at Wilford Hall, Lackland Air Force Base, San Antonio, Texas, Respondent failed to reposition Patient (C. J.) Case Number 08-594 every two (2) hours as ordered. Consequently, the patient suffered a severe sacral pressure ulcer and later died. Respondent's conduct may have contributed to the patient's development of a sacral decubitus, which may have resulted in the patient's demise.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B),(1)(C)&(1)(N), and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B)&(4).

CHARGE II.

On or about November 15, 2006 through November 21, 2006 while working as a RN at Wilford Hall, Lackland Air Force Base, San Antonio, Texas, Respondent failed to document repositioning or reasons for failure to reposition Patient (C.J.) Case Number 08-594 every two (2) hours as ordered. Respondent's failure to document deprived subsequent caregivers of vital information on which to base further nursing care and interventions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B),(1)(C)&(1)(N), and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(1)(C)&(4).

CHARGE III.

On or about January 31, 2013, Respondent was issued a Final Order by the Indiana State Board of Nursing wherein Respondent's license to practice professional nursing in the State of Indiana was placed on INDEFINITE PROBATION for not less than six (6) months for failure to disclose the that a malpractice judgement had issued against her regarding the incident described in Charge I and Charge II. A copy of the Final Order, Findings of Fact and Conclusions of Law dated January 31, 2013 is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

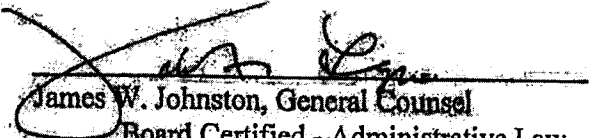
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NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Indiana State Board of Nursing Final Order dated January 31, 2013.

Filed this 4th day of June, 2013.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
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TEXAS BOARD OF NURSING
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P: (512) 305-6811
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Attachment: Indiana State Board of Nursing Final Order dated January 31, 2013.

D/2012.06.19