



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  
Registered Nurse License Number 658503 §  
issued to KAY ANN LITTLE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KAY ANN LITTLE, Registered Nurse License Number 658503, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on July 28, 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 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 a Baccalaureate Degree in Nursing from Texas Christian-Harris College, Fort Worth, Texas, on December 1, 1998. Respondent was licensed to practice professional nursing in the State of Texas on February 22, 1999.
5. Respondent's nursing employment history includes:

2/1999-2/2009	RN-Labor and Delivery	John Peter Smith Hospital Fort Worth, Texas
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Respondent's nursing employment history continued:

10/2008-11/2009	RN-Labor and Delivery	Harris Methodist Cleburne Cleburne, Texas
11/2009-1/2011	RN-Labor and Delivery	Medical Center of Arlington Arlington, Texas
4/2011-8/2011	RN-Labor and Delivery Agency	Fort Duncan Medical Center Eagle Pass, Texas
8/2011-2/2012	RN-Labor and Delivery Agency	Presbyterian Hospital Rockwall Rockwall, Texas
2/2012-5/2012	RN-Labor and Delivery Agency	St. Joseph Medical Center Houston, Texas
6/2012-9/2012	RN-Labor and Delivery Agency	Fort Duncan Medical Center Eagle Pass, Texas
10/2012-Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a RN-Labor and Delivery with Medical Center of Arlington, Arlington, Texas, and had been in this position for nine (9) months.
7. On or about August 22, 2010, while employed with Medical Center of Arlington, Arlington, Texas, Respondent failed to completely and adequately document her assessments for Patient Medical Record Number I000579435 in the medical record in that she did not document said patient's respiratory rate and lung sounds as frequently as ordered. Respondent's conduct resulted in an incomplete medical record and may have exposed the patient to the risk of harm in that subsequent care gives would have relied on incomplete information on which to base their subsequent care decisions.
8. On or about September 2, 2010, while employed with Medical Center of Arlington, Arlington, Texas, Respondent failed to completely and adequately document her assessment of Patient Medical Record Number I000568840 in the medical record in that she did not document said patient's respiratory rate and lung sounds. Respondent's conduct resulted in an incomplete medical record and may have exposed the patient to the risk of harm in that subsequent care gives would have relied on incomplete information on which to base their subsequent care decisions.
9. On or about September 2, 2010, while employed with Medical Center of Arlington, Arlington, Texas, Respondent failed to timely notify a physician that the aforementioned Patient Medical Record Number I000568840, who was undergoing an intravenous

Magnesium Sulfate treatment, had a non-therapeutic Magnesium Sulfate serum level. Respondent's conduct exposed the patient to increased risk of injury, including but not limited to pulmonary edema and seizures.

10. On or about September 2, 2010, while employed with Medical Center of Arlington, Arlington, Texas, Respondent failed to completely and adequately document her assessment of Patient Medical Record Number I000706792 in the medical record in that she did not document said patient's respiratory rate and lung sounds. Respondent's conduct resulted in an incomplete medical record and may have exposed the patient to the risk of harm in that subsequent care gives would have relied on incomplete information on which to base their subsequent care decisions.
11. On or about September 2, 2010, while employed with Medical Center of Arlington, Arlington, Texas, Respondent failed to adequately assess and/or intervene in a timely manner when the aforementioned Patient Medical Record Number I000706792 developed pulmonary edema and began to bleed through her nose. Respondent's conduct unnecessarily exposed the patient to the risk of injury from untreated medical complications.
12. On or about September 2, 2010, while employed with Medical Center of Arlington, Arlington, Texas, Respondent failed to consult with a physician prior to performing a Vaginal Exam for Patient Medical Record Number I000706721, as required. Respondent's conduct may have exposed the patient to the risk of harm, including but not limited to possible infection and uterine rupture.
13. On or about November 14, 2012, while employed with Fort Duncan Regional Medical Center, Eagle Pass, Texas, Respondent failed to call the Rapid Response Team or call for additional medical assistance when Patient Medical Record Number 342381, who had an hour earlier delivered twins via Caesarean Section, experienced significant hypotension eight (8) minutes after developing profuse vaginal bleeding, which had already been reported to the physician. Instead, Respondent initiated intravenous fluid resuscitation. Although the patient's blood pressure had normalized when the physician arrived at bedside five (5) minutes later and the patient was emergently taken to the operating room, the patient expired during surgery. Respondent's conduct exposed the patient unnecessarily to risk of harm.
14. In response to the incidents in Findings of Fact Numbers Seven (7) through Thirteen (13), Respondent denies that she failed to document her assessment of Patient Medical Record Number I000579435, but is unable to explain why the electronic records "simply disappeared". Respondent states that she did make initial notes for sections requiring a yes or no answer or when a change of condition occurred. Regarding Patient Medical Record Numbers I000568840 and I000706792, Respondent indicates that she documented the respiratory rates on the Magnesium Checklist and the patient's lungs had already been assessed earlier by Respondent. Respondent acknowledges that it is the better practice to note the exact respiratory rate on an hourly basis and lung sounds even if they are unchanged from previous assessments. Regarding the pulmonary edema and nose bleed, Respondent denies that the change of condition occurred during her shift. Regarding the non-therapeutic

Magnesium Sulfate level, Respondent points out that level was below the therapeutic level and adds that the patient exhibited no signs or symptoms of distress. In response to the vaginal examination of Patient Medical Record Number I000706721, Respondent does not deny performing the exam and reports that the facility policies did not require her to consult a physician prior to doing so. Respondent states, regarding Patient Medical Record Number 342381, that she did not call for Rapid Response because two of the patient's physicians were at the bedside and she was assisting them. Respondent states that there were three (3) other nurses present and any of them could have initiated Rapid Response but they were all focused on the increasingly serious situation involving the patient.

#### 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)(G),(1)(M),(1)(O)&(3)(A) and 217.12(1)(A)(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 Registered Nurse License Number 658503, heretofore issued to KAY ANN LITTLE, 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 Registered Nurse License Number 658503, previously issued to KAY ANN LITTLE, to practice nursing in Texas is/are hereby SUSPENDED for a period of TWO (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for TWO (2) years with the following agreed terms of probation:

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 the 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.

(1) 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.

(2) 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>*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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>*

(4) 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>.

(5) 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 PROBATION CONDITIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) 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:**

(6) 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.

(7) 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.

(8) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly 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. Direct



supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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.

(9) For the remainder of the stipulation/probation period, 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.

(10) 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 two (2) year(s) of employment as a nurse.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

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 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.

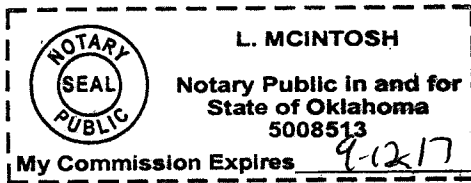
Signed this 17 day of September, 2013.

Kay Ann Little  
KAY ANN LITTLE, Respondent

Sworn to and subscribed before me this 17<sup>th</sup> day of September, 2013.

SEAL

L. Mcintosh



Notary Public in and for the State of Oklahoma

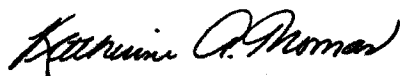
Approved as to form and substance.

Stephen Maxwell  
Stephen Maxwell, Attorney for Respondent

Signed this 19 day of Sept, 2013.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 17<sup>th</sup> day of September, 2013. by KAY ANN LITTLE, Registered Nurse License Number 658503, and said Order is final.

Effective this 12<sup>th</sup> day of November, 2013.



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