



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 § AGREED
Registered Nurse License Number 667925 §
issued to E DENISE PERKINS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of E DENISE PERKINS, Registered Nurse License Number 667925, 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)&(12), 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 December 3, 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's license to practice professional nursing in the State of Texas is in delinquent status.
4. Respondent received a Baccalaureate Degree in Nursing from Baylor University, Dallas, Texas on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on March 30, 2000.
5. Respondent's professional nursing employment history includes:

01/00 - 04/01	GN/Staff RN/ Cardio ICU	St. Paul Medical Center Dallas, Texas
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Respondent's professional nursing employment history includes:

05/01 - 04/02	Staff ICU RN	Medical Center of Plano Plano, Texas
05/00 - 05/04	PRN Staff RN/ Telemetry	Trinity Medical Center Carrollton, Texas
05/02 - 07/08	Agency RN/ CC/ ICU	CritiCare, The Critical Care Agency Plano, Texas
06/08 - Present	Agency RN/ CC/ ICU	Medical Staffing Network Bedford, Texas
11/08 - 11/09	Agency RN/ CC ICU/ Telemetry	Dynamic Nurses Dallas, Texas
12/09-6/10	Staff RN IMCU	Texas Health Presbyterian Hospital Denton, Texas
7/10-Present	Unknown	

6. On or about January 21, 2010, Respondent was issued an Agreed Order by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated January 21, 2010, is attached and incorporated, by reference, as part of this Order.
7. At the time of the initial incident in Finding of Fact Number Eight (8), Respondent was employed as a registered nurse with Texas Health Presbyterian Hospital, Denton, Texas, and had been in this position for approximately six (6) months.
8. On or about June 2010, while employed with Texas Health Presbyterian Hospital, Denton, Texas, Respondent lacked fitness to practice professional nursing in that she exhibited impaired behavior while on duty including but not limited to: not hearing phones ringing right beside her, lacking in communication and not responding when spoken to directly. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
9. On or about June 21, 2010, while employed with Texas Health Presbyterian Hospital, Denton, Texas, Respondent lacked fitness to practice professional nursing in that she

exhibited impaired behavior while on duty including but not limited to: appearing confused and lost, not acting like she had a plan, not being aware of time and not knowing where she was, appearing like she took too much cold medication, seeming disconnected, not responding to questions, having a blank stare, and having a surprised reaction. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

10. On or about September 5, 2012, Respondent underwent a Neuropsychological Evaluation performed by Ronald Paulman, Ph.D. Dr. Paulman opines that Respondent should undergo an additional neurologic evaluation, with appropriate neuro-imaging or other studies at that time, and an independent psychiatric evaluation before making a determination regarding Respondent's fitness-for-duty. According to Dr. Paulman, Respondent has cognitive difficulties, the interpretation of which is complicated by the absence of medical records and by there being no identified past functional issues. Dr. Paulman believes that the present findings are not consistent with an individual who has worked in demanding critical care nursing environments in the past and who reports no past traumatic, medical, neurologic or psychiatric history. The additional evaluations are recommended by Dr. Paulman as being prudent in order to more definitively rule out whether any emergent neurologic or even psychiatric conditions exist. It is Dr. Paulman's belief that the review of results from the additional evaluations, along with recent nursing evaluations indicating Respondent's current nursing function and any significant issues which have been reviewed, will enable determination of Respondent's current fitness-for-duty in the practice of nursing.
11. In response to the incident(s) in Findings of Fact Numbers Eight (8) through (10), Respondent states she is not working as a nurse nor does she plan to work as a nurse in the future. Respondent explains she is currently living in Utah and does not know if she will ever move back to Texas.

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(1)(A),(1)(B),(1)(E),(4)&(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(12), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 667925, heretofore issued to E DENISE PERKINS, 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 a LIMITED LICENSE, 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 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) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(2) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL:

(A) Prior to Petitioning the Board to return to patient care, undergo an additional neurological evaluation and a psychiatric evaluation that meet the requirements specified by the Board in its adopted Guidelines for Physical and Psychological Evaluations, which may be found at the following link:

<http://www.bon.state.tx.us/disciplinaryaction/pdfs/eval-guidelines.pdf>

RESPONDENT SHALL notify the performing evaluators of this Order of the Board and the evaluation, report, findings, and additional recommendations of Dr. Ronald G. Paulman, Ph.D. RESPONDENT shall cause the performing evaluators to each send a report of their evaluation to the Board's offices and to Dr. Paulman; and The evaluations must address the concerns outlined by Dr. Ronald G Paulman, Ph.D. in his report.

- (B) Petition the Board for approval to return to direct patient care, at which time, the RESPONDENT MUST satisfy all then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before re-issuance of an unencumbered license.

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RESPONDENT'S CERTIFICATION

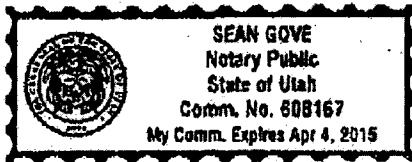
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to 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 18 day of Dec, 2013.

E. Denise Perkins
E DENISE PERKINS, Respondent

Sworn to and subscribed before me this 18 day of Dec, 2013.

SEAL



Sean Gove

Notary Public in and for the State of UTAH

Approved as to form and substance.

Taralynn R. Mackay
c/o Taralynn R. Mackay, Attorney for Respondent

Signed this 18th day of December, 2013

RESPONDENT'S CERTIFICATION

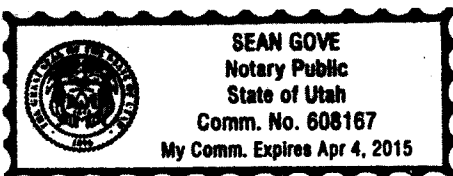
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Approved as to form and substance.

Taralynn R. Mackay
c/o Taralynn R. Mackay, Attorney for Respondent

Signed this 18th day of December, 2013.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 18th day of December, 2013, by E DENISE PERKINS, Registered Nurse License Number 667925, and said Order is final.

Effective this 23rd day of January, 2014.



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