



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.
Patricia A. Pappas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 717582 §
& Vocational Nurse License Number 167539 §
issued to PEARL PUI SHAN AFA § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board produced evidence indicating that PEARL PUI SHAN AFA, hereinafter referred to as Respondent, Registered Nurse License Number 717582 and Vocational Nurse License Number 167539, 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 February 18, 2014, 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 Taralynn Mackay, Attorney at Law. In attendance were Kristin Benton, MSN, RN, Director of Nursing; John F. Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Adriana Ekery, RN, Investigator; Sierra Ready, Investigator; J. L. Skylar Caddell, RN-BC, Nurse Investigator Specialist; and Noemi Leal, Supervising 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 and Respondent's license to practice vocational nursing in the State of Texas is currently in inactive status.

4. Respondent received a Certificate in Practical Nursing from the US Army Practical Nurse Course, Fort Sam Houston, Texas, on March 21, 1997, and received a Baccalaureate Degree in Nursing from The University of Texas Health Science Center, San Antonio, Texas, on May 22, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on June 3, 1998, and was licensed to practice professional nursing in the State of Texas on June 28, 2005.

5. Respondent's nursing employment history includes:

7/1997 - 10/2001	Staff Nurse	US Army Institute of Surgical Research San Antonio, Texas
11/2001 - 6/2005	Staff Nurse	OMV Medical, Inc. San Antonio, Texas
7/2005		Unknown
8/2005 - 2/2007	Staff Nurse	Intelistaf San Antonio, Texas
2008 - 5/2011		Not Employed in Nursing
6/2011 - 12/2012	Staff Nurse	Southwest General Hospital San Antonio, Texas
5/2013 - present	Agency Nurse	Maxim Staffing Solution San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Southwest General Hospital, San Antonio, Texas, and had been in this position for one (1) year and five (5) months.

7. On or about November 17, 2012, while employed as a Staff Nurse with Southwest General Hospital, San Antonio, Texas, Respondent failed to document her assessments of the neurological status of Patient Medical Record Number 12314000039. Respondent's conduct resulted in an incomplete medical record that was likely to deprive the patient's physician and subsequent care givers of vital information that would be required to institute timely medical interventions.

8. On or about November 17, 2012, while employed as a Staff Nurse with Southwest General Hospital, San Antonio, Texas, Respondent failed to notify the physician when the aforementioned Patient Medical Record Number 12314000039 had a significant change in neurological status at 4:00 am. Subsequently, between 4:00 am and 7:30 am, the Glasgow Coma Scale (GCS) decreased from 13 to 7, which indicated severe head injury. In addition,

Respondent failed to notify the physician of the patient's critical Potassium level of 2.6, and a critical Magnesium level of 1.2. The patient was transported to a higher level of care facility. Respondent's conduct deprived the patient's physician of vital information that would be required to institute timely medical interventions and deprived the patient of the benefit of medically necessary interventions.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she was monitoring the patient although her documentation did not reflect how often she was assessing the patient. Respondent points out she called the physician three times to inform him of critical lab values and of the patient's change in presentation. Finally, Respondent states she held a 0600 medication due to her concerns regarding the patient's mental alertness.
10. Respondent submitted verification of her successful completion of the Board approved course "Combined Ethics and Jurisprudence Diacritic" dated October 30, 2013, which would have been required under this Order.
11. Respondent submitted verification of her successful completion of the Board approved course "Physical Assessment" dated October 30, 2013, which would have been required under this Order.
12. Respondent submitted verification of her successful completion of the Board approved course "Nursing Documentation: Just the Facts" dated June 13, 2013, which would have been required under this Order.
13. Respondent submitted verification of her successful completion of the Board approved course "Sharpening Critical Thinking Skills" dated April 10, 2014, which would have been required under this Order.

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)(A),(1)(B),(1)(D),(1)(M)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A), (1)(B),(1)(C)&(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 717582 and Vocational Nurse License Number 167539, heretofore issued to PEARL PUI SHAN AFA, 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 REPRIMAND 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:

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 A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION 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:

(1) 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.

(2) 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.

(3) 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.

(4) For the remainder of the stipulation 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.

(5) 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) years of employment as a nurse.

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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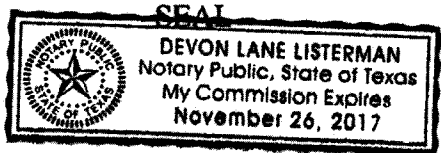
RESPONDENT'S CERTIFICATION

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 10 day of APRIL, 2014.

Pearl Pui-Shan Afa
PEARL PUI SHAN AFA, Respondent

Sworn to and subscribed before me this 10th day of APRIL, 2014.



[Signature]
Notary Public in and for the State of TEXAS

Approved as to form and substance.

Taralynn R. Mackay
Taralynn Mackay, Attorney for Respondent

Signed this 29th day of April, 2014.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10th day of April, 2014, by PEARL PUI SHAN AFA, Registered Nurse License Number 717582 and Vocational Nurse License Number 167539, and said Order is final.

Effective this 10th day of June, 2014.



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