

In the Matter of

AGREED Š

Registered Nurse License Number 642500

issued to NAN GUYNES

ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of NAN GUYNES, Registered Nurse License Number 642500, 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), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 29, 2014.

FINDINGS OF FACT

- Prior to the institution of Agency proceedings, notice of the matters specified below in these 1. 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).
- Respondent waived representation by counsel, informal proceedings, notice and hearing, and 2. agreed to the entry of this Order.
- Respondent is currently licensed to practice professional nursing in the State of Texas. 3.
- Respondent received an Associate Degree in Nursing from Grayson County College, 4. Denison, Texas, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on July 8, 1997.
- Respondent's nursing employment history includes: 5.

07/97 - 03/04

RN

Medical Center of Plano

Plano, Texas

03/04 - 07/08

RN

Medical Center of McKinney

McKinney, Texas

Executive Director of the Board

Respondent's nursing employment history continued:

09/08 - 09/13

RN

Baylor Regional Medical Center at Plano

Plano, Texas

10/13 - Present

Unknown

- 6. At the time of the initial incident, Respondent was employed as a registered nurse with Baylor Regional Medical Center at Plano, Plano, Texas, and had been in this position for five (5) years.
- 7. On or about September 19, 2013, while employed as a registered nurse with Baylor Regional Medical Center at Plano, Plano, Texas, Respondent misappropriated Humulin belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Three (3) vials of Humulin which belonged to Patients Medical Record Numbers 500206491, 500226827, and 500215403 were found in Respondent's lab coat. All of the patients had been previously discharged from the facility. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
- Regarding the conduct outlined in Finding of Fact Number Seven (7), Respondent admits to having the vials in her pocket but denies doing it intentionally. She states that she worked on a busy and very demanding floor, and she was expected to pull the insulin up in the medication room and then take it to the patient room to administer. She states that she was giving the insulin when another patient called for pain medication. She states that after administering the insulin, she went to the patient who had called and then to another patient who wanted pain medication and truly forgot that the insulin was in her pocket. She states that she never gave insulin to another patient, or family member, and she is sorry that this occurred and will not ever let herself get into this situation again.

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)(B)&(6)(G).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 642500, heretofore issued to NAN GUYNES, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, 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 State of Texas 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 <u>not</u> 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/compliance.

(2) 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/compliance.

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.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. 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 when this Order becomes final and the terms of this Order become effective, 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 13 day of June 2014.

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Sworn to and subscribed before me this B day of June, 20 14.

SEAL

Notary Public in and for the State of TEVAS.



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 13th day of June, 2014, by NAN GUYNES, Registered Nurse License Number 642500, and said Order is final.

Effective this 18th day of June, 2014.

Katherine A. Thomas, MN, RN, FAAN

Executive Director on behalf

of said Board