



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 540261 §
issued to RHONDA F. FRANKLIN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RHONDA F. FRANKLIN, Registered Nurse License Number 540261, 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), 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 10, 2014.

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 representation by counsel, 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 Prairie View A&M, Houston, Texas, on December 12, 1986. Respondent was licensed to practice professional nursing in the State of Texas on August 24, 1987.
5. Respondent's nursing employment history includes:

8/1987-1988	Unknown
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Respondent's nursing employment history continued:

1988-1988	Staff Nurse	Matagorda General Hospital Bay City, Texas
1989-1992	Staff Nurse	Bay Villa Nursing and Convalescent Center Bay City, Texas
1992-1997	Staff Nurse	Gulf Coast Medical Center Wharton, Texas
1997-11/2002	Assistant DON	Matagorda Nursing and Rehabilitation Bay City, Texas
11/2002-Present	Director of Patient Care	Girling Home Health Wharton, Texas

6. At the time of the incident, Respondent was employed as the Director of Patient Care with Girling Home Health, Wharton, Texas, and had been in this position for ten (10) years and two (2) months.
7. On or about January 31, 2013, while employed as the Director of Patient Care at Girling Home Health, Wharton, Texas, Respondent failed to report to the Department of Aging and Disability services once she was notified of possible negligence in the care of Patient T.P., as required. Respondent was notified of improper medical care occurring in the home of the patient using contaminated medical supplies. Respondent's conduct exposed the patient to a risk of harm from continued inappropriate medical care.
8. In response to Finding of Fact Number Seven (7), Respondent states that she was notified by a staff nurse that the patient's son had called with a complaint about a medical supply used in his home. Respondent states that she immediately initiated an investigation, and completed a complaint investigation form, an incident investigation form and a verbal counseling record. Respondent states that she reported the incident to the Assistant Administrator for the Houston unit and the Corporate Compliance Nurse.

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) and 217.12(1)(B),(2),(4)&(6)(C).
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 540261, heretofore issued to RHONDA F. FRANKLIN, 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 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/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>.

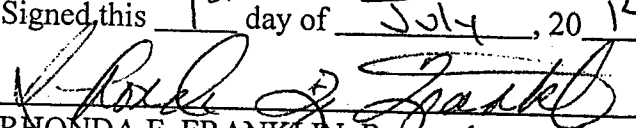
(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Professional Accountability ...," a 5.4 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of 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>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete Modules One (1) through Six (6) of the "Pre-Survey Conference Computer-Based Training" Course for Home and Community Support Services Agencies, which provides a general overview of state and federal licensure rules regarding home health care and which is presented by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the Pre-Survey Conference Attendance Verification form to the Board's office. 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>.*

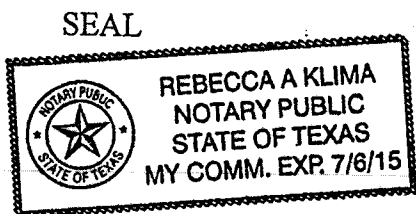
IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

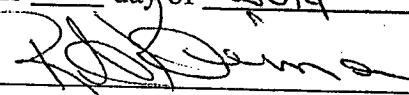
RESPONDENT'S CERTIFICATION

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 1st day of July, 20 14.

RHONDA F. FRANKLIN, Respondent

Sworn to and subscribed before me this 1st day of July, 20 14.




Notary Public in and for the State of TX

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 1st day of July, 2014, by RHONDA F. FRANKLIN, Registered Nurse License Number 540261, and said Order is final.

Effective this 3rd day of July, 2014.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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