BEFORE THE TEXAS BOARD OF NURSING



In the Matter of Registered Nurse License Number 773731 issued to SARAH LYNN LUNDERMAN



ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 7737\$1, issued to SARAH LYNN LUNDERMAN, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

- Respondent is currently licensed to practice professional nursing in the State of Texas. 1.
- Respondent waived representation by counsel, informal proceedings, notice and hearing. 2.
- Respondent received an Associate Degree in Nursing from Southwest Georgia Technical 3. College, Thomasville, Georgia, on December 1, 2004. Respondent was licensed to practice professional nursing in the State of Texas on July 31, 2009.
- Respondent's nursing employment history includes: 4.

1/05 - 11/06	Staff Nurse	Mitchell County Hospital Camilla, Georgia
1/06 - 10/09	Travel Nurse	Various hospitals in GA, FL, CA and TX
1/09 - 8/11	Staff/Charge Nurse	St. Luke's Hospital San Antonio, Texas

Respondent's nursing employment history continued:

11/11 - 2/12

Staff Nurse

Methodist Stone Oak Hospital

San Antonio, Texas

3/12 - Unknown

Weekend Supervisor

Warm Springs Thousand Oaks

Rehabilitation Hospital San Antonio, Texas

- 5. On July 18, 2013, Respondent was issued the sanction of a Warning with Stipulations through an Agreed Order by the Board. A copy of the Finding of Fact. Conclusions of Law and Order dated July 18, 2013, is attached and incorporated herein by reference as part of this Order.
- 6. On July 21, 2014, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas in lieu of complying with the Agreed Order issued to her on July 18, 2013. A copy of Respondent's notarized statement, dated July 17, 2014, is attached and incorporated herein by reference as part of this Order.

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(11)(B).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) and (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 773731, heretofore issued to SARAH LYNN LUNDERMAN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
- 5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
- 6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
- 7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 773731, heretofore issued to SARAH LYNN LUNDERMAN, to practice nursing in the State of Texas, is/are accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

- 1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation RN or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license/s is/are surrendered.
- 2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order
- Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing 3. requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order \$HALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 21st day of July, 2014.

TEXAS BOARD OF NURSING

By:

Katherine A. Thomas, MN, RN, FAAN

Executive Director on behalf

of said Board

Sarah Lynn Lunderman, RN 201 McDonald St. SW Pelham, GA 31779 pewterthistle@hotmail.com

July 17, 2014

Texas Board of Nursing Diane Burell Monitoring Supervisor 333 Guadalupe St Suite 3-400 Austin, TX 78701

Ms. Burell

This letter is to inform you that due to the board order, not being able to find a job, loosing our home, and reasons beyond my control, I have moved from the state of Texas, and have no plans of returning to work as an RN there. It is with a heavy heart that I give up my Texas Registered Nurse license 773731. It is not that I do not want to comply with the board order, unfortunately I am mable due to reasons above.

I am Respectfully Yours. Lundermark

Serah Lynn Lunderman, RN

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

DAY OF July 2014 Frieda & Women

My Commission Expires:

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of \$ AGREED Registered Nurse License Number 773731 \$ issued to SARAH LYNN LUNDERMAN \$ ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that SARAH LYNN LUNDERMAN, hereinafter referred to as Respondent, Registered Nurse License Number 773731, 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 April 23, 2013, 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 Bonnie Cone, MSN, RN - Consultant for Nursing Practice, Executive Director's Designee; Kristen Benton, Director of Nursing; Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Pamela Nemir, RN Nurse Investigator, Skylar Caddell, Nurse Investigator Specialist; Peter Marana, Legal Intern; and Nicole Binkley, Advanced Practice Nurse Representative.

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.

- 4. Respondent received an Associate Degree in Nursing from Southwest Georgia Technical College, Thomasville, Georgia, on December 1, 2004. Respondent was licensed to practice professional nursing in the State of Texas on July 31, 2009.
- 5. Respondent's nursing employment history includes:

1/2005 - 11/2006	ER Staff Nurse	Mitchell County Hospital Camilla, Georgia
1/2006 - 10/2009	Floor Nurse	Various hospitals GA, FL, CA and TX Travel Assignments, Company Unknown
1/2009 - 8/2011	Staff Nurse/Charge Nurse	St. Luke's Hospital San Antonio, Texas
11/2011 to 2/2012	Staff Nurse	Methodist Stone Oak Hospital San Antonio, Texas
3/2012 to present	Weekend Supervisor	Warm Springs Thousand Oaks Rehabilitation Hospital San Antonio, Texas

- 6. At the time of this incident, Respondent was employed as a staff nurse with Methodist Stone Oak Hospital, San Antonio, Texas, and had been in this position for over two (2) months.
- On or about February 11, 2012, while employed with Methodist Stone Oak Hospital, San Antonio, Texas, Respondent failed to administer Lovenox to Patient Medical Record Number K501023446, as ordered by the physician. It was documented in the medical record that Respondent administered Lovenox to the left side of the abdomen, and that patient teaching was done. Respondent's conduct was likely to injure the patient in that failure to administer Lovenox as ordered by the physician could have resulted in non-efficacious treatment, including the formation of blood clots. In addition, Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent caregivers would rely on the documentation in order to provide further patient care.
- 8. In response to the incident in Finding of Fact Number Eight (8), Respondent stated that she did not give the medication Lovenox and did not intentionally falsify the medical records. Respondent believes it is possible that she failed to secure her user ID, and someone else entered Lovenox under her name, due to her not having logged off, most likely thinking they were documenting on another patient, or that she began charting the Lovenox intending to administer it but became distracted by other patients, and then, did not administer it.

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)(C)&(1)(D) and 217.12(1)(A),(1)(C),(4)&(6)(H).
- 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 773731, heretofore issued to SARAH LYNN LUNDERMAN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

<u>ORDER</u>

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of WARNING WITH STIPULATIONS AND A FINE, 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:

- (1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT \$HALL 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.
- (2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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 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 nursing documentation. 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. 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.

- (4) 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.
- (5) RESPONDENT SHALL pay a monetary fine in the amount of two hundred and fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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 ONE (1) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) 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:

- of the Board and the stipulations conditions 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 conditions 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) 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.
- (9) 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 ONE (1) year(s) 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 shall 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 24 day of May 2015

Swom to and subscribed before me this 24 day of May 2013		
SEAL	lighthica Gomentes	
CYNTHIA GONZALES Noticity Public, State of Taxos	Notary Public in and for the State of Try	95
My Commission Expires		

Approved as to form and substance.

Taralynn R. Mackny, Attorney for Respondent

Signed this 22th day of May 2013

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WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 24th day of May, 2013, by SARAH LYNN LUNDERMAN, Registered Nurse License Number 773731, and said Order is final.

Effective this 18th day of July, 2013.

Katherine A. Thomas, MN, RN, FAAN

Executive Director on behalf

of said Board