



5. Respondent's nursing employment history is unknown.
6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as Owner and Gerontological Nurse Practitioner with Rockport Rejuvenative Clinic, Rockport, Texas.
7. On or about July 5, 2009, through December 2009, while employed as Owner and Gerontological Nurse Practitioner with Rockport Rejuvenative Clinic, Rockport, Texas, Respondent violated the professional boundaries of the nurse-client relationship by providing care to Patient R.B., who was also a family member. Furthermore, Respondent accepted and/or borrowed money from said patient. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient.
8. On or about June 8, 2012, through June 21, 2012, while employed as Owner and Gerontological Nurse Practitioner with Rockport Rejuvenative Clinic, Rockport, Texas, Respondent violated the professional boundaries of the nurse-client relationship by accepting and/or borrowing money from Patient G.R. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent admits to providing care for Patient R.B. and receiving money from him as well. Prior to July 5, 2009, and prior to R.B. becoming a patient, Respondent states that she was introduced to R.B. by another family member, who recommended him to assist Respondent with obtaining a bank loan and additionally loaned money through his business. The loans by R.B.'s company were due when Respondent's nursing practice "became profitable." Respondent also admits that she accepted money from Patient G.R. but asserts that it was a gift of gratitude for care provided by Rockport Rejuvenative Clinic to Patient G.R.'s daughter. Respondent states that she informed Patient G.R. that she would only accept it if it could be considered as a loan.

In her response, Respondent stated that she became extremely ill during late 2012, and was unable to continue her nursing practice. As a consequence of her inability to work, Respondent states she became insolvent and could not meet her debt obligations. Respondent commenced a Chapter 7 bankruptcy case in May 2013, styled; Case Number 13-34306; In re: Margaret Von Heuvel, Debtor; In the United States Bankruptcy Court for the Southern District of Texas, Houston Division.

#### 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)(J)&(4)(A) and 217.12(1)(A)&(6)(D).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP114607, and Registered Nurse License Number 633569, heretofore issued to MARGARET A VONHEUVEL.

ORDER

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 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 a course in "Respecting Professional Boundaries," a 3.9 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 "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>.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of one thousand (\$1,000.00) dollars. RESPONDENT SHALL pay this fine within ninety (90) days entry of this Order. 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 AND RESPONDENT MUST WORK IN SUCH 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:**

(5) 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.

(6) 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.

(7) Should RESPONDENT choose to work as a Gerontological Nurse Practitioner, RESPONDENT'S practice of professional nursing will be monitored for one (1) year by Physician, Family Nurse Practitioner, or Gerontological Nurse Practitioner, who has been approved by the Board. Respondent must provide a list of three (3) Physicians and/or three (3) Gerontological Nurse Practitioner and/or three (3) Family Nurse Practitioners for the Board to select. For the Physician and/or Gerontological Nurse Practitioner and/or Family Nurse Practitioner, the list must include the following for each: name, license number or social security number, educational background and professional employment history. Monitoring shall commence no later than thirty (30) days following the date of RESPONDENT'S receipt of the name of the monitor selected by the Board. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth in this Order do not reoccur. RESPONDENT SHALL meet

with the monitor at least twice a month, at least one (1) hour duration each. RESPONDENT SHALL ensure that the monitor submits reports, addressing RESPONDENT'S progress in overcoming these deficiencies to the office of the Board at the end of each three (3) months for the one (1) year stipulation period. Meetings may be longer and more frequent if the monitor determines necessary. Multiple employers are prohibited.

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. My signature on this Certification does not constitute an admission of the violations, alleged herein. By my signature on this Order, I agree to the entry of said 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 4<sup>th</sup> day of August, 2014

Margaret A. VonHeuvel  
MARGARET A VONHEUVEL, RESPONDENT

Sworn to and subscribed before me this 4<sup>th</sup> day of August, 2014.

SEAL

Michael A. Pritchard

Notary Public in and for the State of Texas



Approved as to form only.

Zan Pritchard  
C. ZAN PRITCHARD, Attorney for Respondent

Signed this 4<sup>th</sup> day of August, 2014



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the   4th   day of   August  , 2014, by MARGARET A VONHEUVEL, Advanced Practice Registered Nurse License Number AP114607, and Registered Nurse License Number 633569, and said Order is final.

Effective this   19th   day of   August  , 2014.



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