



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 Advanced Practice Registered	§	AGREED
Nurse License Number AP105046,	§	
Registered Nurse License Number 232350,	§	
& Vocational Nurse License Number 40937,	§	
issued to PEGGY JO S. KOEPESEL	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PEGGY JO S. KOEPESEL, Advanced Practice Registered Nurse License Number AP105046, Registered Nurse License Number 232350, and Vocational Nurse License Number 40937, 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) and 301.453, Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on July 10, 2014, subject to ratification by the Board.

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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional and advanced practice nursing in the State of Texas. Respondent's license to practice vocational nursing in the State of Texas is in delinquent status.

4. Respondent received a Certificate in Vocational Nursing from Bee County College, Beeville, Texas, on September 13, 1968; received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on August 1, 1974; received a Baccalaureate Degree in Nursing from Corpus Christi State University, Corpus Christi, Texas, in December 1987; and received a Master's Degree in Nursing from Corpus Christi State University, Corpus Christi, Texas, in May 1993. Respondent was licensed to practice vocational nursing in the State of Texas on October 23, 1968; was licensed to practice professional nursing in the State of Texas on December 6, 1974; became Board recognized as an Adult Nurse Practitioner on July 13, 1993; became Board recognized as a Family Nurse Practitioner on March 7, 1997, with Prescriptive Authority granted February 26, 1998; and became Board recognized as a Psychiatric/Mental Health Nurse Practitioner on May 1, 2008.

5. Respondent's reported nursing employment history includes:

10/1968-8/1979		Unknown
9/1979-3/1990	Director of Vocational Nursing Program	Coastal Bend College Beeville, Texas
4/1990- 8/1993	Nurse Investigator	Texas Department of Health Corpus Christi, Texas
8/1993-11/1995	Staff Nurse	Charter Behavioral Health System Corpus Christi, Texas
9/1993-12/1995	Adult Nurse Practitioner	Corpus Christi Drug Abuse Council Corpus Christi, Texas
1/1995-8/2001	Adult Nurse Practitioner	Christus Spohn System Corpus Christi, Texas
11/1996-Present	Psychiatric/Mental Health Nurse Practitioner	Psychiatric Consulting Services Corpus Christi, Texas
5/1997-11/1999	Adult Nurse Practitioner	Bayview Hospital Corpus Christi, Texas
1/2000-9/2003	Family Nurse Practitioner	Bayside Medical Center Corpus Christi, Texas
11/2002-6/2012	Psychiatric/Mental Health Nurse Practitioner	Raul R. Capitaine, MD Corpus Christi, Texas

6. At the time of the incident, Respondent was employed as a Psychiatric/Mental Health Nurse Practitioner with Psychiatric Consulting Services, Corpus Christi, Texas, and had been in this position for four (4) years and six (6) months.

7. On or about November 13, 2012, while employed as a Psychiatric/Mental Health Nurse Practitioner with Psychiatric Consulting Services, Corpus Christi, Texas, and seeing patients at Corpus Christi Nursing and Rehabilitation Center, Corpus Christi, Texas, Respondent inappropriately administered Zyprexa, an antipsychotic medication, to Resident I.H. via intramuscular injection, without the resident's consent. The resident was not attempting to harm herself or others, which would be considered a psychiatric emergency, which would require medication to be given without consent. Respondent's conduct was likely to injure the resident in that the administration of medication without the resident's consent could deny the resident the opportunity to make decisions about her health care.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she assessed the patient on the November 11, 2012, and found her to be psychotic, separated from reality, lacking capacity to understand or make informed judgement to her care, which Respondent considered a psychiatric emergency. Respondent states that when she went to administer the Zyprexa, she was assisted by a male attendant who turned the patient on her side to administer the injection, but the patient immediately rolled onto her back. Respondent states that the resident did not resist the efforts to turn her on her side or inject her with the medication, and she was not restrained.

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),(1)(C)&(1)(M) and 217.12(1)(A),(1)(B),(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 Advanced Practice Registered Nurse License Number AP105046, Registered Nurse License Number 232350, and Vocational Nurse License Number 40937, heretofore issued to PEGGY JO S. KOEPEL, 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 WARNING 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:

(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 "Resident Rights and Quality of Life," a 6.0 contact hours workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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>.*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE AS AN ADVANCED PRACTICE REGISTERED NURSE 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 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) LICENSE WITH ADVANCED PRACTICE AUTHORIZATION WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer, practice site and/or credentialing agency 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, practice site and/or credentialing agency in nursing within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers, practice sites and/or credentialing agencies 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, practice site and/or credentialing agency in nursing prior to accepting an offer of employment and/or assignment.

(5) RESPONDENT SHALL CAUSE each present employer, practice site and/or credentialing agency in nursing to submit the Board's "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, practice site and/or credentialing agency in nursing to submit the Board's "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.

(6) Under this Order, RESPONDENT'S advanced practice nursing will be monitored for one (1) year by a Physician/Psychiatrist or an Advanced Practice Nurse who has been approved by the Board. RESPONDENT must provide a list of three (3) Physicians/Psychiatrists and/or (3) Advanced Practice Nurses from which the Board shall select. For the Physician/Psychiatrist or Advanced Practice Nurse, 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.

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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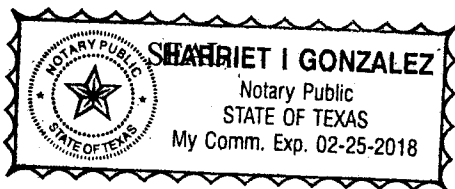
RESPONDENT'S CERTIFICATION

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 2nd day of September, 2014.

Peggy Jo S. Koepsel
PEGGY JO S. KOEPEL, RESPONDENT

Sworn to and subscribed before me this 2nd day of September, 2014.



Harriet I. Gonzalez
Notary Public in and for the State of Texas

Approved as to form and substance.

Craig Smith, Attorney for Respondent

Signed this _____ day of _____, 20____.

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 _____ day of _____, 20____.

PEGGY JO S. KOEPEL, RESPONDENT

Sworn to and subscribed before me this _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

Approved as to form and substance.



Craig Smith, Attorney for Respondent

Signed this 2nd day of September, 2014.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 2nd day of September, 2014, by PEGGY JO S. KOEPEL, Advanced Practice Registered Nurse License Number AP105046, Registered Nurse License Number 232350, and Vocational Nurse License Number 40937, and said Order is final.

Effective this 23rd day of October, 2014.



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