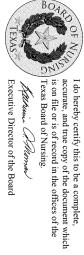
IN THE MATTER OF	§	BEFORE THE TEXAS
PERMANENT CERTIFICATE	§	
NUMBER 197832	§	
ISSUED TO	§	
SUMMER ANN COLEMAN	§	<b>BOARD OF NURSING</b>



#### NUNC PRO TUNC ORDER OF THE BOARD

TO: Summer Ann Coleman c/o Taralynn Mackay, Attorney PO Box 1137 Elgin, TX 78621

During open meeting held in Austin, Texas, the Texas Board of Nursing (Board) finds that an Agreed Order of the Board was ratified by the Board for Summer Ann Coleman. The Agreed Order, however, omitted a stipulation on page 7 that is necessary to effectuate the other requirements of the order. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Texas Board of Nursing, after review and due consideration of the record and the facts therein invalidates the Agreed Order of the Board that was mistakenly ratified and submits and enters the corrected Agreed Order of the Board, which contains additional stipulation number seven (7) on page 7 of the Order. Respondent received due process regarding her license and her attorney of record was consulted regarding this change; therefore, her rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Agreed Order of the Board is hereby approved and entered on the dates set forth below.

Order effective August 19, 2014

Entered this 8th day of December, 2014.

TEXAS BOARD OF NURSING

BY:

KATHERINE A. THOMAS, MN, RN

EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

#### BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of

AGREED

Vocational Nurse License Number 197832

ORDER

issued to SUMMER ANN COLEMAN On this day the Texas Board of Nursing, hereinafter referred to as the 1

considered the matter of SUMMER ANN COLEMAN, Vocational Nurse License Number 197832, 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 August 4, 2013, 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.
- Respondent is currently licensed to practice vocational nursing in the State of Texas. 3.
- 4. Respondent received a Certificate Degree in Vocational Nursing from Texas State Technical College, Sweet water, Texas, on December 15, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on March 3, 2005.
- Respondent's nursing employment history includes: 5.

12/2004 - 4/2009

Staff Nurse

Christ Lee Manor Colorado, Texas

Respondent's nursing employment history continued:

7/2009 - 8/2011

**Assistant Director** 

Bishop Davies Nursing Center

of Nursing

Hurst, Texas

9/2011 - 11/2012

Staff Nurse

Legends Healthcare & Rehabilitation

Euless, Texas

12/2012-8/2013

Unknown

9/2013-Present

Member Care

Blue Cross & Blue Shield

Coordinator

Unknown

- 6. At the time of the incident, Respondent was employed as a Staff Nurse with Legends Healthcare & Rehabilitation, Euless, Texas, and had been in this position for one (1) year and two (2) months.
- 7. On or about November 22, 2012, while employed as a Staff Nurse with Legend Healthcare and Rehabilitation, Euless, Texas, Respondent failed to perform a physical assessment of Resident V.H., including taking vital signs and auscultation of the lungs, when informed by a Certified Nurse Aide (CNA) that the resident was coughing up phlegm at lunchtime. The resident had difficulty swallowing and was on aspiration precautions. Subsequently, the resident was found unresponsive and transferred emergently to the hospital, where he was diagnosed with aspiration pneumonia. Respondent's conduct may have injured the resident from undetected changes in his respiratory status.
- 8. In response to Finding of Fact Number Seven (7), Respondent states that the resident's respirations were even and non-labored and the resident was resting comfortably with no signs or symptoms of distress. In addition, Respondent states she was not told the patient had been coughing or that he had not eaten and she was only shown a small amount of phlegm that the Resident had coughed up once. Respondent indicates that as soon as she entered the room and found the resident unresponsive, she called for Code Blue and asked another nurse to call 911.
- 9. Formal Charges were filed on November 7, 2013.
- 10. Formal Charges were mailed to Respondent on November 7, 2013.
- 11. Respondent provided evidence that she completed the "Sharpening Critical Thinking Skills" course, which would have been a requirement 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 §\$217.11(1)(A),(1)(B),(1)(M)&(2)(A) and 22 Tex. ADMIN. CODE §217.12(1)(A)&(4).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 197832, heretofore issued to SUMMER ANN COLEMAN, 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 REPRIMAND 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.

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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. Boardapproved 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 physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. 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. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of

twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. 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 at the following Board website address: <a href="http://www.bon.texas.gov/compliance">http://www.bon.texas.gov/compliance</a>.

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 TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) 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:

- (3) 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.
- (4) 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.
- (5) For the first year of employment as a Nurse under this Order, 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).

agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(6) For the remainder of the stipulation period, RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

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.

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 condition	ons of this Order, I will be subject to investigation and disciplinary			
sanction, including revocation of	f my license(s) to practice nursing in the State of Texas, as a			
consequence of my noncompliance	<b>æ</b> .			
	Signed this 20 day of June, 20 14.			
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	SUMMER ANN COLEMAN, RESPONDENT			
Sworn to and subscribed before me this W day of Jule, 20 1.				
SEAL	Chelsia Steid			
CHELSEA BRIANN STEED Notary Public, State of Texas My Commission Expires May 16, 2018	Notary Public in and for the State of Tous (Wenton County)			
	Approved as to form and substance.			
	Taralynn R. Mackay, Attorney for Respondent			
	Signed this 20th day of Juny , 2014.			
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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 20<sup>th</sup> day of June, 2014, by SUMMER ANN COLEMAN, Vocational Nurse License Number 197832, 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

#### BEFORE THE TEXAS BOARD OF NURSING

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Executive Director of the Boa	Ketthum Chithaman

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In the Matter of

AGREED

Vocational Nurse License Number 197832

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issued to SUMMER ANN COLEMAN

8 ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the 1 considered the matter of SUMMER ANN COLEMAN, Vocational Nurse License Number 197832, 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 August 4, 2013, 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 vocational nursing in the State of Texas.
- 4. Respondent received a Certificate Degree in Vocational Nursing from Texas State Technical College, Sweet water, Texas, on December 15, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on March 3, 2005.

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<b>5.</b>	Responde	nt's nur	'sıno em	ployment	higtory	includes
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12/2004 - 4/2009

Staff Nurse

Christ Lee Manor Colorado, Texas

Respondent's nursing employment history continued:

7/2009 - 8/2011

**Assistant Director** 

**Bishop Davies Nursing Center** 

of Nursing

Hurst, Texas

9/2011 - 11/2012

Staff Nurse

Legends Healthcare & Rehabilitation

Euless, Texas

12/2012-8/2013

Unknown

9/2013-Present

Member Care

Blue Cross & Blue Shield

Coordinator

Unknown .

- 6. At the time of the incident, Respondent was employed as a Staff Nurse with Legends Healthcare & Rehabilitation, Euless, Texas, and had been in this position for one (1) year and two (2) months.
- 7. On or about November 22, 2012, while employed as a Staff Nurse with Legend Healthcare and Rehabilitation, Euless, Texas, Respondent failed to perform a physical assessment of Resident V.H., including taking vital signs and auscultation of the lungs, when informed by a Certified Nurse Aide (CNA) that the resident was coughing up phlegm at lunchtime. The resident had difficulty swallowing and was on aspiration precautions. Subsequently, the resident was found unresponsive and transferred emergently to the hospital, where he was diagnosed with aspiration pneumonia. Respondent's conduct may have injured the resident from undetected changes in his respiratory status.
- 8. In response to Finding of Fact Number Seven (7), Respondent states that the resident's respirations were even and non-labored and the resident was resting comfortably with no signs or symptoms of distress. In addition, Respondent states she was not told the patient had been coughing or that he had not eaten and she was only shown a small amount of phlegm that the Resident had coughed up once. Respondent indicates that as soon as she entered the room and found the resident unresponsive, she called for Code Blue and asked another nurse to call 911.
- 9. Formal Charges were filed on November 7, 2013.
- 10. Formal Charges were mailed to Respondent on November 7, 2013.
- 11. Respondent provided evidence that she completed the "Sharpening Critical Thinking Skills" course, which would have been a requirement 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 §\$217.11(1)(A),(1)(B),(1)(M)&(2)(A) and 22 Tex. ADMIN. CODE §217.12(1)(A)&(4).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 197832, heretofore issued to SUMMER ANN COLEMAN, 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 REPRIMAND 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. Boardapproved 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 physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. 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. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of

twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. 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 at the following Board website address: <a href="http://www.bon.texas.gov/compliance">http://www.bon.texas.gov/compliance</a>.

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 TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) 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:

- (3) 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.
- (4) 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.
- (5) For the first year of employment as a Nurse under this Order, 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).

agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- (6) For the remainder of the stipulation period, RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- (7) 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 and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for two (2) years 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 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.

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	sanction, including revocation of n	ny license(s) to practice nursing in the State of Texas, as a
	consequence of my noncompliance.	
		Signed this 20 day of June 20 14
		SUMMER ANN COLEMAN, RESPONDENT
· .	Sworn to and subscribed before me	this Wday of June 20 14
	SEAL	Chelsia Steed
大学	CHELSEA BRIANN STEED Notary Public, State of Texas My Commission Expires	Notary Public in and for the State of Toxos  Wenton County
toner	May to 2016	Approved as to form and substance.
		Taralynn R. Mackay Attorney for Respondent
•		
		Signed this 20 day of July 20 14.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20<sup>th</sup> day of June, 2014, by SUMMER ANN COLEMAN, Vocational Nurse License Number 197832, and said Order is final.

Effective this 19th day of August, 2014.

Datherme Ci Thomas

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