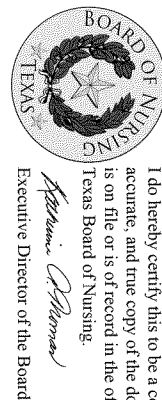


BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 765263 §
issued to MARIA THERESA JARDINO SESCAR § ORDER



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.

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of MARIA THERESA JARDINO SESCAR, Registered Nurse License Number 765263, 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 notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 2, 2015.

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 agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from St. Jude College, Manila, Philippines on April 3, 1995. Respondent was licensed to practice professional nursing in the State of Texas on February 6, 2009.
5. Respondent's nursing employment history includes:
1/2005 - 9/2007 Registered Nurse Southlake Nursing and Rehabilitation Center Jacksonville, Florida
7/2006 - 8/2008 Registered Nurse Sun Crest Home Health Orange Park, Florida

Respondent's nursing employment history continued:

10/2007 - 8/2008	Registered Nurse	Cypress Village Nursing Home Jacksonville, Florida
11/2007 - 8/2008	Registered Nurse	West Jacksonville Health and Rehabilitation Center Jacksonville, Florida
2/2008 - 8/2008	Registered Nurse	BA Home Health Jacksonville, Florida
9/2008 - 4/2013	Registered Nurse	Brentwood Healthcare Place One Dallas, Texas
4/2010 - 1/2013	Registered Nurse	Home Health Plus, Inc. Dallas, Texas
7/2010 - Present	Registered Nurse	One Point Home Health, LLC Dallas, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Brentwood Healthcare Place One, Dallas, Texas, and had been in that position for four (4) years and seven (7) months.
7. On or about April 2, 2013, while employed with Brentwood Healthcare Place One, Dallas, Texas, Respondent failed to appropriately intervene and timely notify the appropriate individuals, including the Police, when elderly Patient LG wandered away from the facility in the middle of the night. Instead, Respondent and other staff members launched a search for the resident which delayed appropriate notification. Patient LG was returned to the facility later that day with a puncture wound to his right hand. Respondent's conduct exposed the patient unnecessarily to risk of harm due to not making notifications and providing interventions in a timely manner.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states she heard the Hall 200 exit door alarm sounding for a few seconds and it was cut off automatically. Respondent states the 600 hall certified nurse aide (CNA), while doing his rounds, notified her that Patient LG was not in his room. Respondent states everybody was instructed to look for the patient in each bedroom, closet, bathroom, shower, outside the building, the other buildings, and out in the street. Respondent states she was trying to call the Director of Nursing (DON) but the phone kept ringing. Respondent states the incoming nurse for the 6 am to 2 pm shift asked her to help in calling the DON. Respondent states she was talking to the police department while the DON was on the other line. Respondent states she called the administrator and physician and left voice messages.

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) 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 Registered Nurse License Number 765263, heretofore issued to MARIA THERESA JARDINO SESCAR.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

~~IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive~~
the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to 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.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that 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. Home study courses and video programs will not be approved.
- B. **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.
- C. **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/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. RESTORATION OF UNENCUMBERED LICENSE(S)

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 entry of this 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

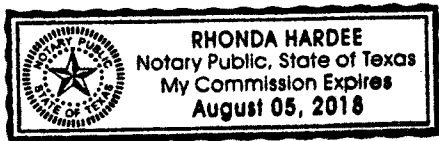
Signed this 15th day of April, 2015.

Maria Theresa Jardino Sescar
MARIA THERESA JARDINO SESCOAR, Respondent

Sworn to and subscribed before me this 15th day of April, 2015.

SEAL

Rhonda Hardee
Notary Public in and for the State of Texas



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 15th day of April, 2015, by MARIA THERESA JARDINO SESCAR, Registered Nurse License Number 765263, and said Order is final.

Effective this 20th day of April, 2015.



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