BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Vocational Nurse License Number 203692	§	
issued to DANIEL AARON BEETEM	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DANIEL AARON BEETEM, Vocational Nurse License Number 203692, 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 18, 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 vocational nurse in the State of Texas is in current status.

4. Respondent received a Certificate in Vocational Nursing from Army Practical Nurse Course, Fort Sam Houston, Texas. on March 9, 2006. Respondent was licensed to practice vocational nursing in the State of Texas on April 11, 2006.

5. Respondent's vocational nursing employment history includes:

2006 - 2009	LVN	Walter Reed Army Medical Center Washington, D.C.

Respondent's vocational nursing employment history continued:

03/2009 - 09/2010	LVN/Agency Nurse	Nurse, Etc. Texas
09/2010 - 04/2013	Unknown	
04/2013 - Present	LVN/Travel Nurse	AMN Healthcare/ NurseFinders San Diego, California

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Licensed Vocational Nurse/Travel Nurse with AMN Healthcare/NurseFinders, San Diego, California, and had been in that position for approximately one (1) year and four (4) months.

7. On or about August 1, 2014, through August 30, 2014, while employed as a Licensed Vocational Nurse with AMN Healthcare/NurseFinders, San Diego, California, and on assignment at Southwest General Hospital, San Antonio, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System for patients, but failed to document, or completely and accurately document the administration of the Hydromorphone including signs, symptoms, and responses to the medication in the patients' Medication Administration Records and/or nurses notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients, which could result in an overdose and Respondent's conduct placed the hospital in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

8. On or about August 1, 2014, through August 30, 2014, while employed as a Licensed Vocational Nurse with AMN Healthcare/NurseFinders, San Diego, California, and on assignment at Southwest General Hospital, San Antonio, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedure for wastage of any of the unused portions of the Hydromorphone. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that his documentation errors are the result of being placed in demanding situations as a nurse that he had never experienced at any other facility. Respondent states that he takes full responsibility for his failings, but states that he often had to care for seven (7) acute patients at a time and that he did complain several times to management. Respondent states that he has since taken remedial education in an effort to improve in this area.

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)(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

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 203692, heretofore issued to DANIEL AARON BEETEM.

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. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: 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. Home study courses and video programs will not be approved.

C. **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/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.

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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 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 __4th__ day of __May__, 20_15_.

_____
DANIEL AARON BEETEM, Respondent

Sworn to and subscribed before me this _4th_ day of __May__, 20_15_.

SEAL

Sherri L. Baugh

Notary Public in and for the State of _Texas_
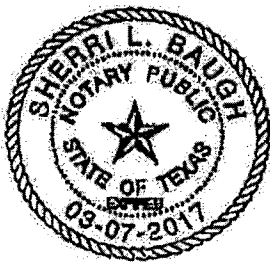
Approved as to form and substance:

_____
Robert R. Biechlin, JR., Attorney for Respondent
Signed this _4th_ day of __May__, 20_15_.

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 4th day of May, 2015, by DANIEL AARON BEETEM, Vocational Nurse License Number 203692, and said Order is final.

Effective this 5th day of May, 2015.

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