

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 200547
ISSUED TO
BARBARA ANN JOHNSON

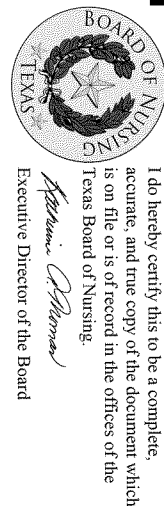
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BEFORE THE TEXAS

§ BOARD OF NURSING

ORDER OF THE BOARD

TO: Barbara Ann Johnson
1517 Corn Hill Ln.
Round Rock, TX 78664



On this day, the Executive Director of the Texas Board of Nursing (Board) considered Staff's Motion for Rehearing filed in the above-styled matter. An order of the Board was mistakenly approved on April 16, 2015, for nurse license number 200547 issued to Barbara Ann Johnson. This Order was issued in error. Staff filed a Motion for Rehearing and, after review and due consideration of the filed Motion, the Executive Director of the Board **GRANTS** Staff's Motion for Rehearing. The Agreed Order entered on April 16, 2015, is hereby set aside.

Entered this 18th day of May, 2015.

TEXAS BOARD OF NURSING

BY:

Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Vocational Nurse License Number 200547
issued to BARBARA ANN JOHNSON

§ AGREED ORDER
§ FOR
§ KSTAR PILOT PROGRAM



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.
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BARBARA ANN JOHNSON, Vocational Nurse License Number 200547, 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 January 8, 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 Augusta Technical Institute, Augusta, Georgia, on March 1, 1991. Respondent was licensed to practice vocational nursing in the State of Texas on October 4, 2005.
5. Respondent's nursing employment history includes:

10/2005-12/2005 Unknown

1/2006-10/2007 Licensed Vocational Nurse Temple Living Center
Temple, Texas

Respondent's nursing employment history continued:

10/2007-12/2009	Licensed Vocational Nurse	Querencia Healthcare Austin, Texas
1/2009-3/2012	Licensed Vocational Nurse	Edu-Care of Austin Austin, Texas
4/2012-9/2012	Licensed Vocational Nurse	The Summit at Westlake Hills Austin, Texas
10/2012-12/2012	Unknown	
1/2013-Present	Licensed Vocational Nurse	Harbor Hospice Austin, Texas
2/2013-Present	Licensed Vocational Nurse	Angels of Care Pediatric Home Health Austin, Texas
7/2013-10/2014	Licensed Vocational Nurse	Premieant, Inc Austin, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Premieant, Inc., and had been in that position for eight (8) months.
7. On or about March 9, 2014, while employed as a Licensed Vocational Nurse with Premieant, Inc, Austin, Texas, and assigned to the Williams House, Respondent failed to adequately assess Patient J.D. and document interventions she provided when the patient had a significant change of condition. After Respondent was notified by the house staff that the patient had vomited, she assessed the patient's lung sounds but failed to inquire of staff or read the staff communication log to determine when the patient first began vomiting. Respondent instructed the staff to keep the patient's tube feeding turned off until she returned to the home in a couple hours. When Respondent returned to the patient's home she noticed the patient was having seizure like symptoms and Respondent notified her charge RN who instructed Respondent to send the patient out via 911. Respondent's conduct exposed the patient unnecessarily to the risk of harm from delayed treatment, and deprived the patient of the benefit of medical interventions, which may have contributed to the patient's death.
8. In response to Finding of Fact Number Seven (7), Respondent states she was notified around 1:30 p.m. by the house staff that the patient had vomited and she instructed the staff to stop the patient's tube feeding and went to assess the patient. Respondent states the patient was sitting up in his wheelchair, he was not coughing or wheezing and his breathing was unlabored. Respondent states she instructed staff to leave the tube feeding off until she returned at 4:00 p.m. to re-assess the patient. Respondent states when she returned and administered the patient's medication, it appeared the patient was having a seizure. Respondent states the patient's pulse oximeter was taken and was 87% and she was unable to get a blood pressure

and pulse because of the spastic movement. Respondent states she called the on-call nurse and reported the patient's condition and received instructions to send the patient out to the Emergency Room.

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),(1)(M)&(2)(A) and 217.12(1)(A),(1)(B)&(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 200547, heretofore issued to BARBARA ANN JOHNSON.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** 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. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PILOT PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program and RESPONDENT SHALL:

- (A) Within forty-five (45) days of entry of this Order, apply to and enroll in the KSTAR Pilot Program, including payment of any fees and costs, unless otherwise agreed in writing;
- (B) Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;
- (C) Follow all requirements within the remediation plan, if any;
- (D) Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Pilot Program; and
- (E) Provide written documentation of successful completion of the KSTAR Pilot Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Pilot Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of Respondent's license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

V. 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.

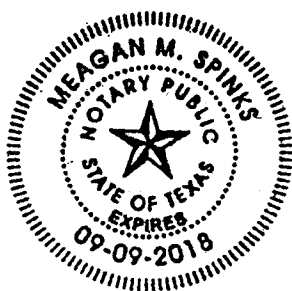
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of 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 18th day of February, 2015.
Barbara Johnson
BARBARA ANN JOHNSON, Respondent

Sworn to and subscribed before me this 18th day of February, 2015.

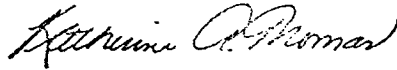
SEAL

Meagan M. Spinks
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 18th day of February, 2015, by BARBARA ANN JOHNSON, Vocational Nurse License Number 200547, and said Order is final.

Effective this 16th day of April, 2015.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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