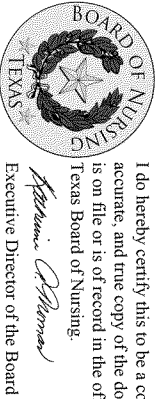


BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Registered Nurse License Number 821623
issued to LINDSAY RACHELLE BARNETT

§ AGREED
§
§ 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 LINDSAY RACHELLE BARNETT, Registered Nurse License Number 821623, 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 28, 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 Patty Hanks Shelton School of Nursing, Abilene, Texas, on May 12, 2012. Respondent was licensed to practice professional nursing in the State of Texas on July 5, 2012.

5. Respondent's nursing employment history includes:

7/2012 - 12/2014	Registered Nurse	Hendrick Medical Center Abilene, Texas
12/2014 - Present	Registered Nurse	Forest Park Medical Center Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Hendrick Medical Center, Abilene, Texas, and had been in that position for two (2) years and one (1) months.
7. On or about August 12, 2014, while employed as a Registered Nurse with Hendrick Medical Center, Abilene, Texas, Respondent failed to implement the physician's order to type and cross screen Patient Medical Record Number 1268656, and to transfuse the patient with one (1) unit of Packed Red Blood Cells. Subsequently, the patient did not receive the transfusion for two (2) days. Respondent's conduct was likely to injure the patient from a delay in medical treatment.
8. On or about September 2, 2014, while employed as a Registered Nurse with Hendrick Medical Center, Abilene, Texas, Respondent failed to question and clarify an order for Vasotec, a medication to lower blood pressure, with the physician while Patient Medical Record Number 0876824 was simultaneously receiving Dopamine, a medication to increase blood pressure. Respondent's conduct exposed the patient to non-efficacious treatment.
9. On or about November 11, 2014, while employed as a Registered Nurse with Hendrick Medical Center, Abilene, Texas, Respondent failed to question and clarify a physician's order for a continued dose of Versed for Patient Medical Record Number 0504366, who was lethargic and required supplemental oxygen. The order, intended to be written as a one time dose of Versed, was inaccurately entered as a scheduled medication, and Respondent subsequently continued to administer the medication. Respondent's conduct was likely to injure the patient from adverse effects of an overdose of Versed, including a decreased level of consciousness and respiratory depression.
10. On or about November 21, 2014, while employed as a Registered Nurse with Hendrick Medical Center, Abilene, Texas, Respondent failed to verify the correct concentration and dose of Mannitol prior to administering the medication to Patient Medical Record Number 1292059. Consequently, Respondent administered two (2) times the ordered dose to the patient. Respondent's conduct was likely to injure the patient from adverse effects of an overdose of Mannitol, including pulmonary edema, hypotension, and impaired neuromuscular function.
11. In response to the incidents in Findings of Fact Numbers Seven (7) through Ten (10), Respondent states that on August 12, 2014, the physician's order was written in the patient's chart, but not documented in the computer charting system which led to Respondent not seeing the order. On September 2, 2014, Respondent states that the Vasotec was not discontinued for Patient Number 0876824, and therefore the medication was given as it was ordered. In regards to the incident on November 11, 2014, Respondent states that while the Versed was ordered as a scheduled medication, when she reported to the physician regarding the continued dose, she was informed that it was intended for one time administration. On November 21, 2014, Respondent states that the correct dose of Mannitol was given to Patient Number 1292059, but that she miscalculated her documentation of the medication at the end of her shift.

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)&(1)(N) and 22 TEX. ADMIN. CODE §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 Registered Nurse License Number 821623, heretofore issued to LINDSAY RACHELLE BARNETT.
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 **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. 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 medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. 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. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- 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. **EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. 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 period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Incident Reporting:** 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.

- D. Nursing Performance Evaluations:** 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 four (4) quarters [one (1) year] of employment as a nurse.

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.

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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 5 day of May, 2015.

Lindsay R. Barnett
LINDSAY RACHELLE BARNETT, Respondent

Sworn to and subscribed before me this 5 day of May, 2015.

SEAL



Dana Paige Robertson
Notary Public in and for the State of Texas

Approved as to form and substance.

Jason Danowsky
Jason Danowsky, Attorney for Respondent

Signed this 7th day of May, 2015.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of May, 2015, by LINDSAY RACHELLE BARNETT, Registered Nurse License Number 821623, and said Order is final.

Effective this 16th day of June, 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