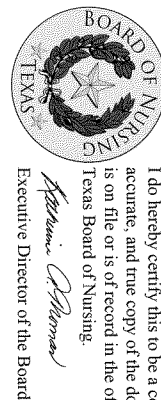


BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
 Vocational Nurse License Number 155910
 issued to LINDA BARNES JACKSON

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REINSTATEMENT
 AGREED ORDER



On this day, the Executive Director, on behalf of the Texas Board of Nursing, herein referred to as the "Board," considered Petitioner's Request for Reinstatement filed in the above-styled matter. Petitioner filed a Request for Reinstatement on or about February 17, 2015. After review and due consideration of the Petitioner's request, and pursuant to 22 Tex. Admin. Code §211.7(h), the Executive Director of the Board **GRANTS** Petitioner's Request for Reinstatement.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner received a Certificate in Vocational Nursing from Tyler Junior College, Tyler, Texas, on August 11, 1995. Petitioner was originally licensed to practice vocational nursing in the State of Texas on January 12, 1996.
4. Petitioner's nursing employment history includes:

10/96 - 12/97	Staff Nurse	Doctor's Memorial Hospital Tyler, Texas
6/97 - 8/00	Staff Nurse	HealthSouth Rehabilitation Hospital Tyler, Texas
10/99 - 9/03	Charge Nurse	Briarcliff Nursing Home Tyler, Texas
10/00 - 6/01	Charge Nurse	Clairmont Nursing Home Tyler, Texas

Petitioner's nursing employment history continued:

6/01 - 8/04	Agency Nurse	NurseFinders Tyler, Texas
9/04 - 7/05	Field Nurse	Heritage Home Health Tyler, Texas
8/05 - 10/05	Unknown	
11/05 - 2/08	Clinical Nurse	University of Texas Health Center Tyler, Texas
3/08 - 5/12	Unknown	
6/12 - present	Not employed in nursing	

5. On March 9, 2005, PETITIONER was issued the sanction of Remedial Education by the Texas Board of Nursing. A copy of the March 9, 2005, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
6. On December 14, 2010, PETITIONER was issued the sanction of a Warning with Stipulations by the Texas Board of Nursing. A copy of the December 14, 2010, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
7. On June 14, 2012, the Board accepted the voluntary surrender of Petitioner's license to practice vocational nursing in the State of Texas. A copy of the June 14, 2012, Order of the Board, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.
8. Petitioner presented the following in support of her petition:
 - 8.1. Letter of support from Eric Broughton, Sr., Overcomers Ministry, Tyler, Texas, stating he has known Petitioner over twenty (20) years. Petitioner is the co-coordinator of the North Tenneha Church of Christ Overcomers Support Ministry and because of her caring, selflessness, compassionate, gracious and loving heart and attitude, she is an asset to the group and to those that participate in it. Mr. Broughton has seen Petitioner demonstrate responsibility, concern, active listening, honesty, loyalty, respect, and recognizing her limitations. Petitioner's has a servant's heart and desires to be of service to those that are in need. Mr. Broughton believes she would be an excellent candidate to be reinstated and receive her nursing license.
 - 8.2. Letter of support from Artis E. Newsome, stating he has known Petitioner for over thirty (30) years. She is a very caring and compassionate person. Petitioner has the need to return to work and now realizes not keeping her license renewed as a mistake. She is still the same caring and compassionate person she has always been and needs her nursing license back.

- 8.3. Letter of support from Marilyn Cates, Employment Training Coordinator, Experience Works, Tyler, Texas, stating she would like to recommend Petitioner as a worthy candidate for receiving her nursing license back. In her position with the organization, Petitioner has proven herself to be a reliable asset and an excellent person. She has proven to have excellent written and verbal communication skills, and is extremely organized. She can work independently and is able to follow through to ensure that the job will get done. Petitioner is always willing to offer her assistance and has a good rapport with the many constituents served by the office.
- 8.4. Documentation of the required continuing education contact hours.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of LINDA BARNES JACKSON, Vocational Nurse License Number 155910, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in 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 Petitioner to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Petitioner's license(s) is/are encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a minimum 80-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure probation conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued the applicable license(s) to practice nursing in the State of Texas, which shall be subject to the following agreed post-licensure probation conditions:

(6) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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. PETITIONER 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 PETITIONER'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:*
<http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>

(7) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in medication administration. PETITIONER 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, 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 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. PETITIONER SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. PETITIONER SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify PETITIONER'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: <http://www.bon.texas.gov/compliance>.*

(8) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in physical assessment. PETITIONER 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. PETITIONER 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. PETITIONER SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. PETITIONER SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify PETITIONER'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: <http://www.bon.texas.gov/compliance>.*

(9) PETITIONER SHALL, within one (1) year of relicensure, successfully complete 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 program, PETITIONER SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/compliance>.*

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-

FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) 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:

(10) PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER 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.

(11) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(12) For the duration of the stipulation period, PETITIONER 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 PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(13) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year 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 PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

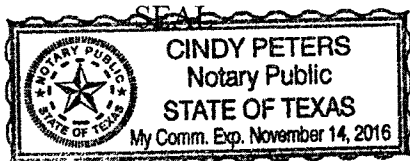
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 24th day of April, 2015.

Linda Barnes Jackson
LINDA BARNES JACKSON, Petitioner


Sworn to and subscribed before me this 24th day of April, 2015.



Cindy Peters
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 24th day of April, 2015, by LINDA BARNES JACKSON, Vocational Nurse License Number 155910, and said Order is final.

Effective this 16th day of June, 2015.


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



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.
Patricia O'Hernan
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse
License Number 155910
issued to LINDA BARNES JACKSON

§
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ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 155910, issued to LINDA BARNES JACKSON, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice vocational nursing in the State of Texas is in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Tyler Junior College, Tyler, Texas, on August 11, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on January 12, 1996.

4. Respondent's vocational nursing employment history includes:

10/08/1996-12/27/1997

Staff Nurse
Doctor's Memorial Hospital
Tyler, Texas

06/15/1997-08/20/2000

Staff Nurse
Healthsouth Rehabilitation Hospital
Tyler, Texas

10/01/2000-06/01/2001

Charge Nurse
Clairmont Nursing Home
Tyler, Texas

10/02/1999-09/01/2003

Charge Nurse
Braircliff Nursing Home
Tyler, Texas

06/01/2001-08/08/2004

Agency Nurse
Nurse Finders Staffing Agency
Tyler, Texas

09/22/2004-07/11/2005

Field Nurse
Heritage Home Health Agency
Tyler, Texas

11/06/2005-02/28/2008

Clinical Nurse
University of Texas Health Center
Tyler, Texas

02/08/2008-present

Unknown

5. On March 9, 2005, Respondent was issued the sanction of Remedial Education, by the Texas Board of Nursing. A copy of the March 9, 2005, Agreed Order, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

6. On December 14, 2010, Respondent was issued the sanction of a Reprimand with Stipulations by the Texas Board of Nursing. A copy of the December 14, 2010, Agreed Order, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On June 4, 2012, Respondent submitted a signed and notarized affidavit to the Board expressing her desire to voluntarily surrender the right to practice vocational nursing in the State of Texas in lieu of complying with the Agreed Order issued to Respondent on December 14, 2010. A copy of the May 30, 2012, affidavit is attached and incorporated, by reference, as part 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 a violation of Section 301.452(b)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 155910, heretofore issued to LINDA BARNES JACKSON, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. **RESPONDENT SHALL NOT** practice vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that **RESPONDENT** is a vocational nurse during the period in which the license is in surrendered status.

2. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice vocational nursing in the State of Texas.

Effective this 14th day of June, 2012.



TEXAS BOARD OF NURSING

By:

Katherine A. Thomas

Katherine A. Thomas, MN, RN, FAAN

Linda Barnes Jackson
P.O. Box 131914
Tyler, TX 75713
Texas LVN License #155910

Voluntary Surrender Statement

Dear Texas Board of Nursing:

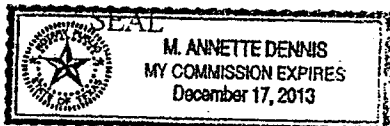
I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Linda Barnes Jackson
Date May 30, 2012
Texas LVN License Number 155910

The State of Texas

Before me, the undersigned authority, on this date personally appeared Linda Barnes Jackson, who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that he understood same.

Sworn to before me the 30th day of May, 2012.



M. Annette Dennis
Notary Public in and for the State of TEXAS

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 155910 §
issued to LINDA BARNES JACKSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LINDA BARNES JACKSON, Vocational Nurse License Number 155910, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on June 13, 2010, by Katherine A. Thomas, MN, RN, Executive Director, 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 in Vocational Nursing from Tyler Junior College, Tyler, Texas on August 11, 1995. Respondent was licensed to practice professional vocational nursing in the State of Texas on January 12, 1996.
5. Respondent's nursing employment history includes:

02/09/1996- 09/27/1996

Staff Nurse
East Texas Medical Center
Tyler, Texas

Respondent's nursing employment history continued:

10/08/1996-12/27/1997	Staff Nurse Doctor's Memorial Hospital Tyler, Texas
06/15/1997-08/20/2000	Staff Nurse HealSouth Rehabilitation Hospital Tyler, Texas
10/01/2000-06/01/2001	Charge Nurse Clairmont Nursing Home Tyler, Texas
10/02/1999-09/01/2003	Charge Nurse Braircliff Nursing Home Tyler, Texas
06/01/2001-08/08/2004	Agency Nurse Nurse Finders Staffing Agency Tyler, Texas
09/22/2004-07/11/2005	Field Nurse Heritage Home Health Agency Tyler, Texas
11/06/2005-02/28/2008	Clinical Nurse University of Texas Health Center Tyler, Texas
02/08/2008-present	Unknown

6. On or about February 3, 2005, Respondent was issued the sanction of REMEDIAL EDUCATION through an Agreed Order by the Texas Board of Nursing. A copy of the Finding of Fact, Conclusions of Law and Agreed Order dated March 09, 2005 is attached and incorporated herein by reference as part of this Order.
7. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with the University of Texas Health Center, Tyler, Texas, and had been in this position for approximately two (2) years and three (3) months.

8. On or about February 4, 2008, while employed with University of Texas Health Center, Tyler, Texas, Respondent failed to verify the identity of Patient MD prior to the administration of "Rocephin" Intramuscularly (IM), and "Solu-Medrol" IM, to said patient, when said medications were ordered for Patient CW. Respondent's conduct exposed Patient MD to the risk of allergic anaphylactic shock.
9. In response to Finding of Fact Number Seven (7), Respondent admits to failing to verify Patient MD's identity before administering medications ordered for Patient CW. Respondent states that Patient CW was scheduled to be administered the same medications including the same dose. Respondent added that Patient MD was not allergic to penicillin, and suffered no ill effect from her error.

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 of Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 155910, heretofore issued to LINDA BARNES JACKSON, 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 a WARNING 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 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. *Board-approved courses may be found at the following Board website address:*

(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: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

(4) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of

Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

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 ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations conditions on RESPONDENT'S license. 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 conditions on RESPONDENT'S license. 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.

(6) 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.

(7) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse or 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). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) 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 Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year 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 shall be eligible for nurse licensure compact privileges, if any.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order,
RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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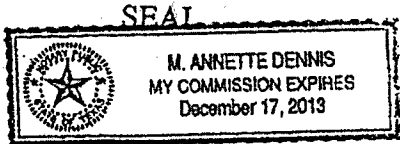
RESPONDENT'S CERTIFICATION

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 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.

Signed this 17th day of November, 2010.

Linda Barnes Jackson
LINDA BARNES JACKSON, Respondent

Sworn to and subscribed before me this 17th day of Nov., 2010.



M. Annette Dennis

Notary Public in and for the State of TEXAS

Approved as to form and substance.

Steven E. Clark, Attorney for Respondent

Signed this _____ day of _____, 20____.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 17th day of November, 2010, by LINDA BARNES JACKSON, Vocational Nurse License Number 155910, and said Order is final.

Effective this 14th day of December, 2010.



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 155910 § AGREED
issued to LINDA BARNES JACKSON § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of LINDA BARNES JACKSON, Vocational Nurse License Number 155910, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402(a)(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on December 19, 2004, by Katherine A. Thomas, MN, RN, Executive Director.

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.
2. Respondent waived representation by counsel, informal conference, 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 in Vocational Nursing from Tyler Junior College on August 11, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on January 12, 1996.
5. Respondent's vocational nursing employment history:

01/1996 - 06/2001	Unknown	
06/2001 - 08/2004	Agency Nurse	Nursefinders of Tyler Staffing Tyler, Texas
09/2004 - Present	Unknown	

6. At the time of the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent was employed as an agency nurse with Nursefinders of Tyler Staffing, Tyler, Texas, had been in this position for one (1) year and two (2) months, and was on assignment at East Texas Medical Center, Tyler, Texas.
7. On or about August 21, 2002, while employed as an agency nurse with Nursefinders of Tyler Staffing, Tyler, Texas, and on assignment at East Texas Medical Center, Tyler, Texas, Respondent failed to assess and evaluate changes in the medical condition of Patient 347454, an eighty-one (81) year-old patient recovering from a recent total knee arthroplasty, whose changes of condition included decreasing blood pressures, increasing pulse rates, and decreased urinary output. Subsequently, Patient 347454 was found by the oncoming nurse in a lethargic state with confused speech and significant hypotension. Shortly thereafter, Patient 347454 became unresponsive and required transfer to the intensive care unit. Respondent's conduct was likely to injure the patient from undetected progression of clinical complications and may have deprived the patient of timely medical interventions needed to stabilize her medical condition.
8. On or about August 21, 2002, while employed as an agency nurse with Nursefinders of Tyler Staffing, Tyler, Texas, and on assignment at East Texas Medical Center, Tyler, Texas, Respondent failed to document in the medical record that Patient 347454 was experiencing decreasing blood pressures, increased pulse rates, and decreased urinary output. Instead, Respondent documented that the patient was resting quietly and in no distress. Subsequently, Patient 347454 was found by the oncoming nurse in a lethargic state with confused speech and significant hypotension. Shortly thereafter, Patient 347454 became unresponsive and required transfer to the intensive care unit. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she was very ill at the time, and had accepted the assignment to help East Texas Medical Center in order to prevent the facility from being short of staff.

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 violations of Section 302.402(a)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(3)&(27)(A), as amended.
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 155910, heretofore issued to LINDA BARNES JACKSON, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Vocational Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice vocational nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. 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) contact hours

in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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. *Board-approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: 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. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

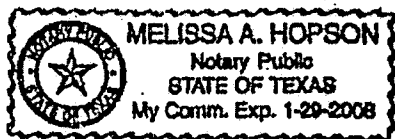
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 revocation of my license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3 day of February, 2005.

Linda Barnes-Jackson
LINDA BARNES JACKSON, Respondent

Sworn to and subscribed before me this 3 day of February, 2005.

SEAL

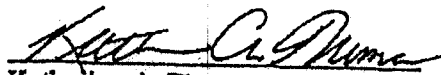


Melissa A. Hopson
Notary Public in and for the State of TEXAS

Signed this 3 day of February, 2005.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 3RD day of February, 2005, by LINDA BARNES JACKSON, Vocational Nurse License Number 155910, and said Order is final.

Effective this 9TH day of March, 2005.



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