



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
GINGER JOHNSON,	§	
a/k/a GINGER STAFFORD JOHNSON,	§	ELIGIBILITY ORDER
PETITIONER for Eligibility for Licensure	§	

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, considered the Endorsement Application, which has been processed as a Petition for Declaratory Order pursuant to 22 TEX. ADMIN. CODE §217.5(f) and §213.30, and supporting documents filed by GINGER JOHNSON, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be ineligible for licensure pursuant to Sections 301.452(b)(8)&(10) and 301.453, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 21, 2015.

FINDINGS OF FACT

1. On or about February 17, 2015, PETITIONER submitted an Endorsement Application requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.257, and 301.260, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.5(f) and §213.30.
2. Petitioner waived representation by counsel, informal proceedings, notice and hearing, and consented to the entry of this Order.

3. Petitioner received an Associate Degree in Nursing from Troy State University of Montgomery, Montgomery, Alabama, on June 1, 1999.
4. Petitioner completed the Endorsement Application and answered "Yes" to the question which reads as follows: *"Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"*
5. On January 18, 2013, Petitioner was issued a Consent Order by the Alabama Board of Nursing. A copy of the January 18, 2013, Consent Order is attached and incorporated by reference as part of this Order.
6. On January 31, 2014, Petitioner satisfied all terms and conditions as set forth in the Consent Order issued on January 18, 2013, by the Alabama Board of Nursing.
7. After considering the action taken by the Alabama Board of Nursing, along with Petitioner's subsequent conduct, the Executive Director is satisfied that Petitioner should be able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
8. Petitioner has sworn that, with the exception of matters disclosed in connection with the Endorsement Application, her past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
9. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
10. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
11. Licensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
12. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
13. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

14. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.
2. On or about February 17, 2015, PETITIONER submitted an Endorsement Application requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.257, and 301.260, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.5(f) and §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for denial of a license under Section 301.452(b)(8)&(10), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
6. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

ORDER

NOW, THEREFORE, IT IS AGREED that the application of PETITIONER is hereby GRANTED, and upon payment of the required fees and meeting all other applicable requirements, PETITIONER SHALL be issued the applicable license to practice nursing in the State of Texas, which shall be subject to the following stipulations:

PETITIONER SHALL obtain and read the Texas Nursing Practice Act and the Rules and Regulations Relating to Nurse Education, Licensure, and Practice.

PETITIONER 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 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 is 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 Texas Board of Nursing and the Board of Nursing in the party state where PETITIONER wishes to work.

(1) PETITIONER SHALL, within one (1) year of licensure, 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>.

(2) PETITIONER SHALL, within one (1) year of licensure, 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. *Information regarding Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license 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 am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

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.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 5th day of Nov, 2015.

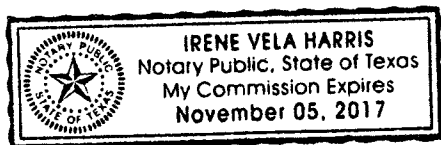
Ginger S. Johnson

GINGER JOHNSON, a/k/a GINGER STAFFORD
JOHNSON, PETITIONER

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

SEAL

Irene Vela Harris
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 Eligibility Order that was signed on the 5th day of November, 2015, by GINGER JOHNSON, a/k/a GINGER STAFFORD JOHNSON, PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this 30th day of November, 2015.



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

BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:

GINGER STAFFORD JOHNSON

LICENSE NO. 1-090996

Respondent.

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ABN CASE NO. 2011-1479

CONSENT ORDER

The Alabama Board of Nursing, hereinafter referred to as Board, having evidence that **GINGER STAFFORD JOHNSON**, hereinafter referred to as Respondent, is in violation of the Code of Alabama 1975 § 34-21-25, and of the Alabama Board of Nursing Administrative Code, § 610-X-8; and Respondent, desiring to avoid the necessity of a formal hearing, do hereby enter into this Consent Order in lieu of proceeding with further disciplinary action. Respondent understands the right to a formal hearing in this matter and hereby knowingly waives such right. Respondent further understands and agrees that this is a non-appealable Order.

FINDINGS OF FACT

I.

On August 13, 1999, Respondent was licensed by the Alabama Board of Nursing as a Registered Nurse (RN) and was so licensed at all times relevant to matters stated herein. Respondent is currently licensed through December 31, 2012.

II.

Respondent was employed by Thomas Hospital, Fairhope, Alabama, on or about September 30, 2008, until Respondent was terminated from employment on June 22, 2011.

III.

According to the facility investigation, on June 15, 2011, while taking care of a patient in the Medical Intensive Care Unit Respondent received an order to administer 80 mg of Lasix by intravenous push to patient MB. Respondent drew the Lasix up and placed the medication in 50 milliliters of normal saline and gave to the patient as an intravenous infusion to be administered over 15 minutes. The intravenous medication was not labeled as required by facility policy and the medication was not given as ordered by the physician.

In addition, at approximately 10:15 am an Electrocardiogram (EKG) was ordered on said patient because her cardiac monitor tracing revealed no p waves present. Respondent was off the floor at the time and nurse PS left word for the Respondent that she had observed a rhythm change and ordered an EKG. When the EKG was completed Respondent removed the EKG from the chart, tore the EKG in half, and placed the pieces in the shredder box. Respondent did not have a physician review the EKG prior discarding the EKG.

At approximately 11:45 when nurse PS returned she asked Respondent about the EKG and Respondent stated that the patient's leads were off earlier and now the patient had p waves. Nurse PS reviewed with Respondent the cardiac rhythm in several monitor leads which indicated that the p waves were different from earlier. The Respondent asked PS if she needed to order another EKG. Nurse PS was unaware that the Respondent had discarded the prior EKG.

At approximately 3:00 pm the chart was reviewed and it was determined that the earlier EKG was missing. The EKG was retrieved from the shredder and the results documented on the EKG indicated an abnormal EKG. The physician was notified and another EKG ordered. The patient was scheduled for a heart catheterization procedure, which the patient later refused.

IV.

Respondent maintains in an email statement to the Board investigator that she did hang the Lasix 80 mg intravenous push (IVP) that was ordered as a piggyback instead of giving IVP as ordered. Respondent states that she did this for the safety of the patient. She maintains that she taped the empty Lasix vial to the bag but did not complete the date, time, and initials on the label.

Respondent also admitted that she put the EKG in the shredder box because she thought the EKG was fine and that the EKG was ordered because the lead placement was in error. She corrected the lead placement and told the secretary to cancel the EKG so the patient would not be charged. She did not call the physician because the patient was asymptomatic and in sinus rhythm on the monitor.

V.

Respondent's personnel record includes the following pertinent history of employee disciplinary actions regarding the Respondent.

On January 30, 2011, Respondent received a Coaching and Feedback Record related to the importance of following up messages regarding assigned patients when messages are left.

On November 24, 2010, Respondent received a Corrective Action Report (CAR) related to unsatisfactory job performance and policy/rule violation. The CAR and supporting documentation revealed Respondent lacked proper documentation on a critical patient; displayed confrontational and challenging attitude with the Emergency Department nurse during a patient handoff; and removed the cardiac monitor of a critical care patient who was being monitored for an overdose. Respondent did not call the physician to obtain an order to remove the monitor or notify him that the monitor was removed. The Respondent maintains she removed the monitor for the patient's safety.

CONCLUSIONS OF LAW

1. Standards of practice require registered nurses to have knowledge and understanding of the laws and rules regulating nursing; function within the legal scope of nursing practice; be responsible and accountable for the quality of nursing care delivered to patients based on and limited to scope of education, demonstrated competence, and nursing experience; accept individual responsibility and accountability for judgments, actions and nursing competency, remaining current with technology and practicing consistent with facility policies and procedures; respect the dignity and rights of patients including safety; and accept individual responsibility and accountability for accurate, complete and legible documentation related to patient care records. The practice of professional nursing (registered nurse practice) includes exercise of appropriate nursing judgment; conducting and documenting comprehensive assessments and evaluations of patients and focused nursing assessments; documentation of nursing interventions and responses to care in an accurate, timely, thorough and clear manner; and executing medical regimens including administering medications and treatments prescribed by a licensed or otherwise legally authorized prescriber Code of Alabama, 1975, § 34-21-1(3)(a), and Alabama Board of Nursing Administrative Code, § 610-X-6-.03(1), (2), (4), (7), and (15)(a); 610-X-6-.04(1)(c), (e), (f), and (g), and (2)(a); and 610-X-6-.06(2)(b), and (c). Respondent's conduct as described in Paragraphs III and IV of the Findings of Fact demonstrates Respondent failed to practice nursing in accordance with the standards of practice adopted by the Board in Chapter Six of the Alabama Board of Nursing Administrative Code violation of Code of Alabama, 1975, § 34-21-25(b) (1)(g), and Alabama Board of Nursing Administrative Code, § 610-X-8-.03(7)(a). Said conduct is unprofessional conduct of a character likely to deceive, defraud or injure the public in matters pertaining to health.
2. Respondent's conduct as described in Paragraphs III and IV of the Findings of Fact demonstrates the Respondent failed to use appropriate judgment and administer medications

and treatments in a responsible manner in violation of Code of Alabama, 1975, § 34-21-25(b)(1)(g), and Alabama Board of Nursing Administrative Code, § 610-X-8-.03(7)(e)(i) and (ii). Said conduct is unprofessional conduct of a character likely to deceive, defraud or injure the public in matters pertaining to health.

3. The Respondent's behavior as described in Paragraph III and IV of the Findings of Fact demonstrates that the Respondent practiced beyond the scope of practice for her license in violation of Code of Alabama, 1975, § 34-21-25(b)(1)(g), and Alabama Board of Nursing Administrative Code, § 610-X-8-.03(7)(b)(i) and (ii). Said conduct is unprofessional conduct of a character likely to deceive, defraud or injure the public in matters pertaining to health.

4. Respondent's conduct as described in Paragraph IV of the Findings of Fact demonstrates that Respondent destroyed patient records in violation of Code of Alabama, 1975, § 34-21-25(b)(1)(g), and Alabama Board of Nursing Administrative Code, § 610-X-8-.03(7)(f). Said conduct is unprofessional conduct of a character likely to deceive, defraud or injure the public in matters pertaining to health.

5. The conduct stated above constitutes sufficient grounds for the imposition of sanctions against Respondent's license to practice as a Registered Nurse in the State of Alabama pursuant to Code of Alabama, 1975, § 34-21-25, and Alabama Board of Nursing Administrative Code, § 610-X-8.

ORDER

Respondent's Alabama Licensed Practical/Registered Nurse License, No. 1-090996, is hereby placed on **PROBATION** for a period of twelve (12) months pursuant to the following terms and conditions.

1. **Return of Wallet ID Card**

Respondent's wallet ID card shall be **immediately** returned to the Alabama Board of Nursing office in order to have it indicate probationary status.

2. **Fine**

Respondent shall pay a fine in the amount of \$300. This fine must be paid within thirty (30) days of the effective date of this Order. Respondent understands that failure to pay the fine is cause for additional disciplinary action by the Board.

3. **Self-Report**

Respondent shall submit a written status report to the Board on a Board-approved form. This is to be submitted on a monthly basis, according to schedule, and must contain a self-assessment of current status. This report is required regardless of whether Respondent is employed in nursing.

4. **Education – Completion of Courses**

Respondent shall satisfactorily complete Board-approved courses/programs on professional accountability, documentation, and EKG interpretation and provide documentation of completion to the Board. Said courses must be satisfactorily completed within three (3) months from the effective date of this Order.

5. **Restricted Employment**

Respondent shall not work for a nursing registry, traveling nurse agency, nursing float pool, hospice, home health agency, or temporary employment agency.

6. **Employment - Supervision Restriction**

Respondent shall not be employed as a supervising nurse.

7. **Employment - Monitoring**

Respondent shall practice only under the on-site monitoring of a Board-approved licensed health professional in good standing with their professional regulatory body. The employment monitor is not required to be on the same unit or ward as Respondent but should be on site and readily available to provide assistance and intervention in the event Respondent appears impaired or otherwise unable to safely practice. Respondent shall work only regularly

assigned, identified, and predetermined units. The on-site monitor shall be primarily one (1) person. Respondent shall not be self-employed or contract for services.

8. **Employment - Notification**

Respondent shall provide all health care employers, collaborative and covering physicians (if CRNP/CNM) and schools of nursing with a copy of this Order and cause each to acknowledge to the Board that a copy of this Order has been provided to them. Said notification shall be received by the Board no later than ten (10) days after the effective date of this Order or within ten (10) days of Respondent's employment or advanced practice approval or entry into school and must be on the Board-provided form.

9. **Employment - Evaluation of Performance**

Respondent shall cause the employer to provide to the Board, on a Board-approved form, a written evaluation of Respondent's nursing performance. Such reports are due quarterly, according to schedule. The receipt of an unfavorable report may be considered to be a violation of this Order. If Respondent is not employed as a nurse, Respondent is required to inform the Board of employment status in the monthly self-report.

10. **Employment - Change in Status**

Respondent shall not accept or change employment without prior written notification to the Board. Said notification must include the name and number of the person who will be Respondent's supervisor.

11. **Not Employed in Nursing**

Periods of time in which Respondent is not employed as a practicing nurse shall be excluded from computation of time to be served on probation, unless determined otherwise by the Board of Nursing or its designee. A minimum of ninety-six (96) hours of nursing employment per month is required to constitute being "employed as a practicing nurse." Employment in fields

other than nursing does not relieve Respondent from compliance with all other terms and conditions of this Order.

12. **Alabama Licensure Status**

Respondent must maintain a current license at all times during the period of this Order. If for any reason Respondent allows the nursing license to lapse/expire, such may be cause for disciplinary action.

13. **Notification of Board**

If Respondent is arrested by any law enforcement agency or is admitted as a patient to any institution in this state or elsewhere for treatment regarding the abuse of or dependence on any chemical substance, or for treatment for any emotional or psychological disorder, Respondent shall cause the Board to be notified immediately. Respondent also shall immediately report to the Board any relapse as well as any disciplinary action issued by an employer. Should Respondent test positive on any drug screen conducted by an employer, an employee assistance program, court referral program or other entity, Respondent shall immediately report such to the Board.

14. **Change of Address**

Respondent shall immediately notify the Board, in writing, of any change of address.

15. **Relocation**

Respondent must notify the Board of pending relocation outside the State of Alabama. If Respondent plans to relocate to another state, Respondent must inform that state's board of nursing as to licensure status and may request the Alabama Board to transfer monitoring to the other state. If monitored by another state, Respondent must successfully complete all requirements of the Board Order of the other jurisdiction in order to fulfill the terms of this Order. Respondent must submit to the Alabama Board a copy of the Order from the other state and official notification of successful completion or unsuccessful termination thereof. The Board

retains the right to withdraw approval for out-of-state monitoring if circumstances indicate that such is appropriate.

16. **Personal Interview**

Respondent shall appear in person for interviews at the request of the Board or Board designee.

17. **Obey the Laws**

Respondent shall refrain from violation of any federal, state or local law or rule or Order of the Board. A conviction on any criminal charge pending at the time of the signing of this Order may result in further disciplinary action. Any arrest subsequent to the signing of this Order may result in further disciplinary action.

18. **Release of Records and Information**

Respondent hereby authorizes the Board of Nursing to submit information and all records necessary to ensure compliance with the stipulations of this Order and public safety. This includes communication with Respondent's employer (existing and prospective) regarding non-compliance or other concerns. Respondent also agrees to execute all appropriate release of information forms so as to allow all healthcare providers, employers and all other necessary persons to inform the Board, in writing, of Respondent's status and progress.

19. **Violation**

Any deviation from the requirements of this Order without the written consent of the Board shall constitute a violation of this Order and will be cause for disciplinary action.

20. **Subsequent Practice Act Violation**

Should supplemental cause for disciplinary action arise during the period of this Order, such is cause for disciplinary action.

21. **Fraudulent Acts During Period of Order**

Submission of fraudulent documents or reports or misrepresentation of facts relating to the terms and conditions stated herein shall constitute a violation of this Order.

22. **Termination of Order**

This Order shall terminate only upon receipt of documents to satisfy all terms and conditions of this Order, including receipt of official court records documenting successful completion of court-ordered probation, pretrial diversionary-type program, drug court, etc., where applicable. This period of probation will not terminate until notification by the Board to Respondent in writing that all terms and conditions have been met and the probation has been completed.

23. **Public Information**

This Order is public information. All disciplinary actions of the Board will be reported to all required data banks.

24. **Effective Date**

The effective date of this Order shall be the documented date of service or attempted service by certified mail or personal service.

25. Final Order

This Order is subject to full Board consideration and acceptance before it shall be final.

X EXECUTED on this the 10th day of December 2012

X Minger Stafford Johnson
GINGER STAFFORD JOHNSON

APPROVED AND ACCEPTED by the ALABAMA BOARD OF NURSING on this the 18th
day of January 2013

N. Genell Lee
N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER
ALABAMA BOARD OF NURSING