



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.  
*William P. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED  
Registered Nurse License Number 705410 §  
issued to WILLIAM BRENT BENNETT § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that WILLIAM BRENT BENNETT, Registered Nurse License Number 705410, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was conducted on April 28, 2015, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Jon Porter, Attorney at Law.

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 an Associate Degree in Nursing from Austin Community College, Austin, Texas, on May 6, 2004. Respondent was licensed to practice professional nursing in the State of Texas on June 10, 2004.
5. Respondent's nursing employment history includes:
 

6/2004-4/2005	Staff Nurse	South Austin Hospital Austin, Texas
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Respondent's nursing employment history continued:

4/2005-8/2014	Staff Nurse	Parallon Workforce Solutions Austin, Texas
2010-8/2014	Staff Nurse	Parallon Workforce Solutions, assigned to St. David's Georgetown Georgetown, Texas
2012-Present	Agency Nurse	Lighthouse Nursing Killeen, Texas

6. At the time of the incidents, Respondent was employed as a Staff Nurse with Parallon Workforce Solutions, Austin, Texas, and assigned to St. David's Georgetown, Georgetown, Texas, and had been in that position for four (4) years.
7. On or about July 15, 2014, while employed as a Staff Nurse with Parallon Workforce Solutions, Austin, Texas, and assigned to St. David's Georgetown, Georgetown, Texas, Respondent failed to intervene and notify the physician, as ordered for systolic blood pressure readings below 95 mmHg, when Patient V.H. experienced sustained low blood pressure readings. Respondent's conduct exposed the patient to risk of harm by depriving the physician of vital information that would be required to institute timely medical interventions to stabilize the patient's blood pressure.
8. On or about July 15, 2014, while employed as a Staff Nurse with Parallon Workforce Solutions, Austin, Texas, and assigned to St. David's Georgetown, Georgetown, Texas, Respondent failed to question and clarify an order for intravenous Potassium and Magnesium for the aforementioned Patient V.H., and administered the medications, though the patient's creatinine reading was critically high at 6.0. Administration of the electrolytes was contraindicated by the facility's electrolyte protocol due to concerns for impaired kidney function. Respondent's conduct exposed the patient to a risk of harm from adverse reactions to medications administered against medical guidelines.
9. On or about July 15, 2014, while employed as a Staff Nurse with Parallon Workforce Solutions, Austin, Texas, and assigned to St. David's Georgetown, Georgetown, Texas, Respondent signed out one (1) vial of Naloxone and one (1) vial of Flumazenil under the name of the aforementioned Patient V.H., without a physician's order, and prepared the medications for administration. The medications were not administered to the patient and could not be returned; subsequently, the patient was billed for medication that she did not receive. Respondent's conduct left medications unaccounted for and was likely to defraud the facility and patient of the cost of the medications.

10. On or about July 15, 2014, while employed as a Staff Nurse with Parallon Workforce Solutions, Austin, Texas, and assigned to St. David's Georgetown, Georgetown, Texas, Respondent inappropriately administered Ativan to Patient C.M., which was ordered as needed for restlessness and agitation, when he had documented that the patient was comatose. Additionally, Respondent administered a second dose of Ativan to the patient after four (4) hours, when the ordered time interval was every six (6) hours as needed. Respondent's conduct exposed the patient to a risk of harm from unnecessary administration of excess doses of medication without a physician's order.
11. In response to the incidents in Findings of Fact Numbers Seven (7) through Ten (10), regarding Patient V.H., Respondent states that the patient's blood pressure was low during the shift, but she was producing urine so he believed that her perfusion was adequate. Respondent states that he administered potassium and magnesium to the patient because he believed the creatinine readings to be incorrect, due to prior administration of Fluorescein. Respondent states that he signed out one vial of Naloxone and one vial of Flumazenil because it was reported to him that the patient became difficult to arouse, and he was going to call the physician from his cell phone to obtain an order to administer the medications, but then the patient was able to be aroused by voice. Respondent states that the Naloxone and Flumazenil are not controlled substances and therefore did not require wasting. Regarding Patient C.M., Respondent states that the patient was on scheduled and as-needed Ativan. Respondent states that the patient was beginning to respond to stimuli and had an increasing heart rate, which made him think the patient was in pain or having withdrawal from benzodiazepines. Respondent states that he thought the Ativan was ordered every 2-4 hours.

#### 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)(D),(1)(M),(1)(P)&(3)(A) 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 705410, heretofore issued to WILLIAM BRENT BENNETT, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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 **REPRIMAND 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.
- D. **The course "Professional Accountability ....,"** a 5.4 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](http://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 eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) 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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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.
- D. **Indirect Supervision:** For the remainder of the stipulation/probation period, RESPONDENT 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

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.

- E. 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 eight (8) quarters [two (2) years] 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 7 day of January, 2016.

*B. Bennett*

\_\_\_\_\_  
WILLIAM BRENT BENNETT, Respondent

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.


SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 7th day of January, 2016, by WILLIAM BRENT BENNETT, Registered Nurse License Number 705410, and said Order is final.

Effective this 9th day of February, 2016.



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