



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
Registered Nurse License Number 585090 §
issued to DANA CAROLYN SPRINGER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DANA CAROLYN SPRINGER, Registered Nurse License Number 585090, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(2),(3)&(10), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 11, 2015.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from University of Texas Health Science Center, Houston, Texas, on May 1, 1992. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1992.
5. Respondent's nursing employment history includes:

1992 - 2001	RN	Texas Children's Hospital Houston, Texas
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Respondent's nursing employment history continued:

1994 - 1997	RN	Life Gift Organ Donation Center Houston, Texas
1995 - 2001	RN	University of Texas Health Science Center Houston, Texas
1996 - 1997	RN	Methodist Hospital Houston, Texas
2002 - 2012	Unknown	
2013 - 2014	RN	Senior Bridge Home Health Lubbock, Texas
2014 - Present	RN	Epic Health Services Lubbock, Texas

6. On or about January 11, 2007, Respondent was arrested by the Lubbock Police Department, Lubbock, Texas, for DRIVING WHILE INTOXICATED, a Class B misdemeanor offense committed on January 10, 2007. On or about March 3, 2010, Cause No. 2007-442, 777 was dismissed in the County at Law No. 1 of Lubbock County, Texas, after Respondent successfully completed the Pre-Trial Intervention Program.

7. On or about June 11, 2014, while holding a license as a Registered Nurse in the State of Texas, Respondent submitted a Delinquent (Expired) License Renewal Form to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?

- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgement/punishment/action?"

Respondent failed to disclose that on or about December 31, 2013, she was arrested by the Lubbock Police Department, Lubbock, Texas, for ASSAULT PUBLIC SERVANT, a 3rd Degree felony offense, RESIST ARREST SEARCH OR TRANSP, a Class C misdemeanor offense, and EVADING ARREST DETENTION, a Class A misdemeanor offense. On or about January 17, 2014, Respondent was charged in the County Court at Law No. Two of Lubbock County, Texas, under Cause No. 2014-477444 for RESISTING ARREST, a Class A misdemeanor offense. These matters were pending at the time of the renewal.

Furthermore, Respondent failed to disclose that on or about January 31, 2014, she was arrested by the Lubbock Police Department, Lubbock, Texas, for INTERFER W/EMERGENCY CALL, a Class A misdemeanor offense. On or about March 21, 2014, Respondent was charged in the County Court at Law No. Two of Lubbock County, Texas, under Cause No. 2014-478170 for INTERFER W/EMERGENCY CALL, a Class A misdemeanor offense. This matter was pending at the time of the renewal. On or about August 12, 2014, Cause No. 2014-478170 was dismissed for the reason: "Defendant has been convicted on another case, Cause No(s) 2014-477444."

8. On or about August 12, 2014, Respondent entered a plea of Guilty to RESISTING ARREST, a Class A misdemeanor offense committed on December 31, 2013, in the County Court at Law No. Two of Lubbock County, Texas, under Cause No. 2014-477444. As a result of the plea, the proceedings against Respondent were deferred, without entering an adjudication of guilt, and she was placed on community supervision for a period of twenty-four (24) months and ordered to a pay fine and court costs.
9. In response to Findings of Fact Numbers Six (6) and Eight (8), Respondent states she was not under the influence or intoxicated while driving. Respondent states she was friendly and cordial, and she had recently had back surgery and was unable to pass the field sobriety test, which may have been misconstrued as being under the influence. Regarding the community supervision, Respondent states she told the officer she did not want to go with him down town, and, as a consequence, she was arrested for resisting arrest. Respondent states she was reluctant to take a plea but did so under the advise of her attorney.
10. Formal Charges were filed on October 3, 2014.
11. Formal Charges were mailed to Respondent on October 6, 2014.

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 §217.12(6)(I)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2),(3)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 585090, heretofore issued to DANA CAROLYN SPRINGER.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS AND A FINE** 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. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of entry of this Order.** Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

V. EMPLOYMENT REQUIREMENTS

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

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

- D. Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

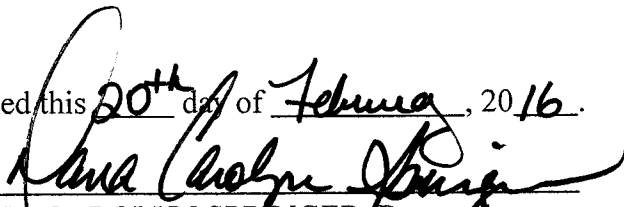
Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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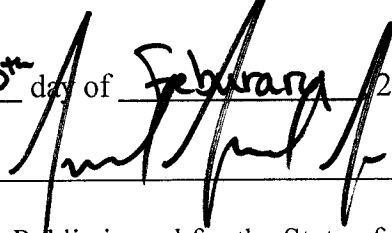
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RESPONDENT'S CERTIFICATION

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 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 20th day of February, 2016.


DANA CAROLYN SPRINGER, Respondent

Sworn to and subscribed before me this 20th day of February, 2016.


Notary Public in and for the State of Colorado

SEAL

JOSEPH J. KOMPERDA JR.
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124077464
MY COMMISSION EXPIRES DECEMBER 20, 2016

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of February, 2016, by DANA CAROLYN SPRINGER, Registered Nurse License Number 585090, and said Order is final.

Effective this 21st day of April, 2016.



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