



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 636767 §
issued to CHELENE LYNETTE LANDIS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHELENE LYNETTE LANDIS, Registered Nurse License Number 636767, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 12, 2016.

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 Darton College, Albany, Georgia, on December 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on January 22, 1997.
5. Respondent's professional nursing employment history includes:
01/97 - 12/02 Unknown

Respondent's professional nursing employment history continued:

01/03 - 12/05	RN	St. Anthony Hospital Oklahoma City, Oklahoma
01/06 - 09/06	RN	Harris Methodist Hospital Fort Worth, Texas
09/06 - 02/08	RN Case Manager	Cardiovascular Home Care Fort Worth, Texas
03/08 - 04/08	Unknown	
05/08 - 06/09	RN Case Manager	John Peter Smith Hospital Fort Worth, Texas
05/08 - 01/10	RN	Nurse Finders Fort Worth, Texas
06/09 - 11/09	RN	All Care Professional Home Health Fort Worth, Texas
02/10 - 12/10	Unknown	
01/11 - 11/15	RN Case Manager	Texas Health Harris Methodist Hospital Fort Worth, Texas
10/14 - Present	Clinical Liason PRN	Lifecare Hospital of Fort Worth Fort Worth, Texas
05/15 - Present	Admissions Director	Genesis Healthcare Fort Worth, Texas
12/15 - Present	RN Case Manager	USMD Health System Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse Case Manager with Texas Health Harris Methodist, Fort Worth, Texas, and had been in that position for four (4) years and three (3) months.
7. On or about April 2015 to November 2015, while employed with Texas Health Harris Methodist Hospital, Fort Worth, Texas, Respondent accessed the medical records of one hundred seventy-eight (178) patients, without authorization or consent, and while she was not on duty nor scheduled to work. Respondent's conduct was contrary to laws intended to ensure confidentiality of medical records, Health Insurance Portability and Accountability Act of 1996 (HIPAA), Title 45, Code of Federal Regulations, Parts 160 and 164, *et seq.*

8. In response to Finding of Fact Number Seven (7), Respondent states that in addition to Texas Health Harris Methodist, she is also employed with Genesis Healthcare, where she works as a clinical admission director on the weekends. Respondent states that in the course of her job duties, and having access to Harris Methodist electronic records, she would review progress notes and medication records for only prospective and current residents that were currently admitted to that hospital. Respondent also states that there were many instances when it became necessary to review a patient's chart to assist her fellow case managers in caring for a patient and executing discharge planning for that patient. Respondent states that these were the only instances in which she accessed patient records, and states that the records were not shared with anyone other than herself.

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)&(E) and 217.12(1)(A),(1)(B),(1)(C)&(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 636767, heretofore issued to CHELENE LYNETTE LANDIS.
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, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION WITH 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.
- C. The course "Patient Privacy," 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.*

IV. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five hundred dollars (\$500.00) 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. 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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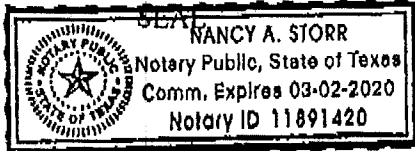
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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 27th day of June, 2016.
Chele Landis
CHELENE LYNETTE LANDIS, Respondent

Sworn to and subscribed before me this 27th day of June, 2016.



Nancy Storr
Notary Public in and for the State of Texas

Approved as to form and substance,
Oscar San Miguel
Oscar San Miguel, Attorney for Respondent

Signed this 30th day of June, 2016

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 29th day of June, 2016, by CHELENE LYNETTE LANDIS, Registered Nurse License Number 636767, and said Order is final.

Effective this 5th day of July, 2016.



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