



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 749849 §
issued to KAL BRADLEY MCMANUS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KAL BRADLEY MCMANUS, Registered Nurse License Number 749849, 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)(8), 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 November 6, 2014.

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 Baylor University, Dallas, Texas on December 15, 2007. Respondent was licensed to practice professional nursing in the State of Texas on January 22, 2008.
5. Respondent's professional nursing employment history is unknown.

6. On or about April 11, 2013, Respondent was issued a Final Order by the State of Florida Board of Nursing, Tallahassee, Florida. A copy of the Stipulation, Settlement and Order dated April 11, 2013, is attached and incorporated by reference as part of this Order .
7. In response to Finding of Fact Number Six (6), Respondent states upon returning to work after being off for several weeks, he was met with a newly implemented computerized charting system. Respondent states the process became increasingly hard to manage due to the use of verbal, computer and traditional handwritten methods for implementing changes to the orders. Respondent states he voiced his concern and kept track via his paper charting; however, upon addressing the issue with the night supervisor, the conversation became overheated with Respondent stating he would not schedule himself again unless changes or assistance was provided to remedy the situation.

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 cause pursuant to Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 749849, heretofore issued to KAL BRADLEY MCMANUS.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION WITH/AND 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 entry 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. COMPLIANCE WITH FLORIDA BOARD OF NURSING ORDER

RESPONDENT SHALL fully comply with all the terms and conditions and complete the Order of the Board issued to KAL BRADLEY MCMANUS on April 11, 2013, by the Florida Board of Nursing. RESPONDENT SHALL CAUSE the Florida Board of Nursing to submit reports at the end of each three (3) month quarterly period, on forms provided by the Texas Board of Nursing, that RESPONDENT is in compliance with the Order of the Florida Board of Nursing, and RESPONDENT SHALL cause the Florida Board of Nursing to submit written verification of Respondent's successful completion of that Order to the Texas Board of Nursing.

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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CONTINUED ON NEXT PAGE.

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 9 day of December, 2014.

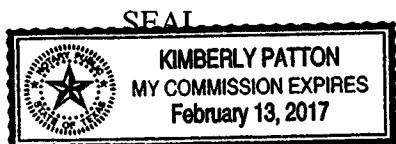
Kal Bradley McManus

KAL BRADLEY MCMANUS, Respondent

Sworn to and subscribed before me this 9th day of December, 2014.

Kimberly Patton

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 Order that was signed on the 9th day of December, 2014, by KAL BRADLEY MCMANUS, Registered Nurse License Number 749849, and said Order is final.

Effective this 12th day of December, 2014.



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

Final Order No. DOH-13-0632- S -MQA

FILED DATE APR 12 2013

Department of Health

By Orlando Soudes
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2012-00769

License No.: RN 9296900

KAL BRADLEY MCMANUS,

Respondent.

FINAL ORDER

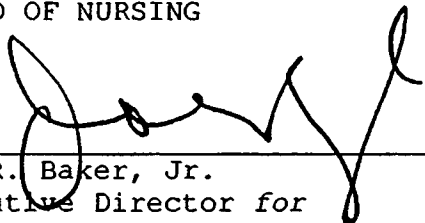
THIS CAUSE came before the BOARD OF NURSING (Board) April 5, 2013, in Ponte Vedra Beach, Florida, for the purpose of considering a settlement agreement (attached hereto as Exhibit A) entered into between the parties in this cause. Upon consideration of the settlement agreement, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the settlement agreement as submitted be and is hereby approved and adopted in toto and incorporated herein by reference. The costs are \$5,649.65. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the settlement agreement. Respondent appeared before the Board as required by the settlement agreement; therefore the suspension shall not be imposed.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 15 day of April, 2013.

BOARD OF NURSING



Joe R. Baker, Jr.
Executive Director for
Ann-Lynn Denker, PhD, ARNP
Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to KAL BRADLEY MCMANUS, 638 Sherwood, Richardson, TX 75080, 640 Nottingham Drive, Richardson, TX 75080; Joanne Kenna, 1101 Douglas Avenue, Altamonte Springs, FL 32714;; and by interoffice delivery to Lee Ann Gustafson, Senior Assistant Attorney General, Department of Legal Affairs, PL-01 The Capitol, Tallahassee FL 32399-1050, Jodi-Ann Johnson, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265 this 12th day of April, 2013.



Deputy Agency Clerk

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

Petitioner,

v.

CASE NO.: 2012-00769

KAL BRADLEY MCMANUS, R.N.,

Respondent.

SETTLEMENT AGREEMENT

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Agreement to the Board of Nursing as disposition of the Administrative Complaint, attached hereto as Exhibit "A", in lieu of any other administrative proceedings. The terms herein become effective only if and when a Final Order accepting this Agreement is issued by the Board and filed. In considering this Agreement, the Board may review all investigative materials regarding this case. If this Agreement is rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. Respondent is a Registered Nurse in the State of Florida holding license number 9296900.

2. The Respondent is charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapters 456 and/or 464, Florida Statutes. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit A.

3. Respondent neither admits nor denies the factual allegations contained in the Administrative Complaint.

STIPULATED LAW

1. Respondent admits that he is subject to the provisions of Chapters 456 and 464, Florida Statutes, and the jurisdiction of the Department and the Board.

2. Respondent admits that the stipulated facts, if proven true, constitute violations of laws as alleged in the Administrative Complaint.

3. Respondent admits that the Agreement is a fair, appropriate and reasonable resolution to this pending matter.

PROPOSED DISPOSITION

1. The Respondent must pay investigative costs not to exceed **SIX THOUSAND FIVE HUNDRED NINETY-SIX DOLLARS AND FORTY-SEVEN CENTS (~~\$6,596.47~~)** within **seven (7) years** from the date of entry of the Final Order. Payment shall be made to the Board of Nursing and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer. **Payment must be made by cashier's check or money order ONLY.** Personal Checks shall **NOT** be accepted.

2. The Respondent shall enroll in and successfully complete courses in **Medication Administration (16 hours) and Documentation, to be completed before he appears before the Board.** This shall be in addition to other normally required continuing education courses. Verification of course content and course completion must be submitted to the Nursing Compliance Officer within six (6) months from the date of this Order. The Board will retain jurisdiction for the purpose of enforcing continuing education requirements.

3. The license of **KAL BRADLEY MCMANUS, R.N.**, is suspended until Respondent personally appears before the Board and can demonstrate the present ability to engage in the safe practice of nursing. Within 30 days Respondent shall return the license to DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer, or shall surrender the license to an investigator of the Department of Health. The Respondent shall immediately inform the employer in writing regarding the suspension with a copy to DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer. The Board reserves the right to impose reasonable conditions of reinstatement at the time the Respondent appears before the Board to demonstrate her present ability to engage in the safe practice of nursing.

4. The Respondent shall not violate Chapter 456 or 464, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice nursing. Violation of an order from another state/jurisdiction shall constitute grounds for violation of the Board Order adopting this Agreement.

5. It is expressly understood that this Agreement is subject to the approval of the Board and Department and has no force and effect until an Order is entered adopting the Agreement.

6. This Agreement is executed by the Respondent for the purpose of avoiding further administrative action by the Board of Nursing regarding the acts or omissions specifically set forth in the Administrative Complaint attached hereto. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to, or in conjunction with, consideration of the Agreement. Furthermore, should this joint Agreement not be accepted by the Board, it is agreed that presentation to, and consideration of, this Agreement and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings. Respondent shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law.

7. Respondent and the Department fully understand that this joint Agreement and subsequent Final Order incorporating same will in no way

preclude additional proceedings by the Board and/or Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached hereto. This Agreement relates solely to the current disciplinary proceedings arising from the above-mentioned Administrative Complaint and does not preclude further action by other divisions, departments, and/or sections of the Department, including but not limited to the Agency for Health Care Administration's Medicaid Program Integrity Office.

8. The Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this disciplinary proceeding.

9. Respondent waives all rights to appeal and further review of this Agreement and these proceedings.

WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

SIGNED this 4 day of January, ²⁰¹³~~2012~~.


KAL BRADLEY MCMANUS, R.N.

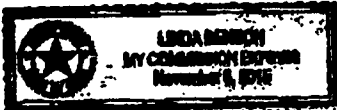
Before me personally appeared Kal McManus whose identity is known to be by TX DL (type of identification), and who under oath, acknowledges that his/her signature appears above.

Sworn to and subscribed by Respondent before me this 4 day of January, ~~2012~~ 2013



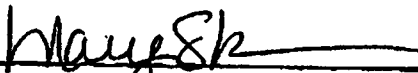
Notary Public

My Commission Expires: 11-6-2015



APPROVED this 23rd day of January, 2012.³

John H. Armstrong, MD, FACS
Surgeon General and Secretary of Health


Counsel for Petitioner:
Mary S. Miller
Assistant General Counsel
FBN: 0780420
Department of Health
Prosecution Services Unit
4052 Bald Cypress Way, BIN #C-65
Tallahassee, Florida 32399-3265