



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 771548 §
issued to JULIE JEAN BRESTLE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JULIE JEAN BRESTLE, Registered Nurse License Number 771548, 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), 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 December 9, 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 an Associate Degree in Nursing from Brookhaven College, Farmers Branch, Texas, on May 1, 2009. Respondent was licensed to practice professional nursing in the State of Texas on July 2, 2009.
- 5. Respondent's professional nursing employment history includes:

6/2009 - 6/2010	GN/RN	Children's Medical Center Dallas, Texas
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Respondent's professional nursing employment history continued:

6/2010 - 9/2013	RN	Dell Children's Medical Center Austin, Texas
8/2013 - Present	RN	Pediatric Services of America Austin, Texas
11/2013	RN	Cross Country Staffing/Cross Country Travel Corps Boca Raton, Florida
11/2013 - 3/2014	RN	Methodist Children's Hospital San Antonio, Texas
3/2014 - Present	RN	Parallon Workforce Solutions Irving, Texas

6. On or about November 12, 2013, while providing pre-employment credentials to Cross Country Staffing/Cross Country TravCorps, Boca Raton, Florida, Respondent provided a falsified Pediatric Advanced Life Support (PALS) card in that she documented over the issue date and the recommended renewal date. Respondent's conduct was likely to deceive the facility who relied on the card to verify her current certification which was required for the position.
7. In response to the incident in Finding of Fact Number Six (6), Respondent denies any intent to deceive. Respondent states that while preparing the documents to start her position at Cross Country Staffing/Cross Country TravCorps, she realized that her card would expire at the end of November 2013. Respondent attended a class on November 23, 2013, which was prior to the expiration of her PALS certification. Respondent's certification never lapsed. However, in the process of rushing to send all of the necessary paperwork for the assignment, the incorrect card was sent to Cross Country.
8. On or about January 18, 2014, Respondent successfully completed a Board approved class in Sharpening Critical Thinking Skills, which would have been a requirement of this Order.
9. On or about March 6, 2014, Respondent successfully completed a Board approved class in Jurisprudence and Ethics, which would have been a requirement of this Order.
10. Formal Charges were filed on June 18, 2015.

11. Formal Charges were mailed to Respondent on July 8, 2015.
12. Respondent provided a positive evaluation from her employer, Encompass Pediatrics Home Health , Austin, Texas, dated February 1, 2016. Respondent also provided a positive performance evaluation from her other employer, Medical Staffing Options, Westerville, Ohio, dated January 25, 2016.

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)(A),(6)(H)&(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 771548, heretofore issued to JULIE JEAN BRESTLE.
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. 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.

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical 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. Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office. **EXCEPT for RESPONDENT'S current employment with Encompass Pediatrics Home Health, Austin, Texas, and Medical Staffing Options, Westerville, Ohio,** RESPONDENT SHALL NOT be employed by a home health agency.
- 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.

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.

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.

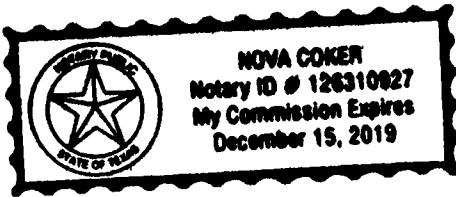
Signed this 6 day of June, 2016.

Julie Brestle, RN
JULIE JEAN BRESTLE, Respondent

Sworn to and subscribed before me this 6th day of June, 2016.

SEAL

[Signature]
Notary Public in and for the State of TEXAS



Approved as to form and substance.

[Signature]
Courtney Newton, Attorney for Respondent

Signed this 6TH day of June, 2016.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 6th day of June, 2016, by JULIE JEAN BRESTLE, Registered Nurse License Number 771548, and said Order is final.

Effective this 21st day of July, 2016.



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