



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 797984	§	
issued to SANDRA GAYLE ATKINSON	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SANDRA GAYLE ATKINSON, Registered Nurse License Number 797984, 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 August 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 Salt Lake Community College, Salt Lake City, Utah, on May 7, 2010, and received a Baccalaureate Degree in Nursing from The University of Texas at Arlington, Arlington, Texas, on August 14, 2013. Respondent was licensed to practice professional nursing in the State of Texas on February 23, 2011.
5. Respondent's nursing employment history includes:

2/2011 - 4/2011	Emergency Room	Medical Center Hospital
	Staff Nurse	Odessa, Texas

Respondent's nursing employment history continued:

4/2011 - 10/2012	Staff Nurse	Medical Center Hospital Odessa, Texas
10/2012 - 5/2014	Charge Nurse	Medical Center Hospital Odessa, Texas
5/2014 - Present	Cardiac Care Unit Staff Nurse	Medical Center Hospital Odessa, Texas
2/2014 - Present	PRN Staff Nurse	Health South Rehabilitation Hospital of Midland and Odessa Midland, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a PRN Staff Nurse with Health South Rehabilitation Hospital of Midland and Odessa, Midland, Texas, and had been in that position for nine (9) months.
7. On or about November 14, 2014, and November 15, 2014, while employed as a PRN Staff Nurse with Health South Rehabilitation Hospital of Midland and Odessa, Midland, Texas, Respondent failed to notify the physician and the House Supervisor of the change in condition of Patient Medical Record Number 58440, who had a pulse of forty-six (46), and that she withheld the ordered Coreg. Respondent's conduct was likely to injure the patient from ineffective treatment and deprived the patient's physician the opportunity to institute timely medical interventions, and may have contributed to the patient's subsequent demise.
8. On or about November 14, 2014, and November 15, 2014, while employed as a PRN Staff Nurse with Health South Rehabilitation Hospital of Midland and Odessa, Midland, Texas, Respondent failed to re-assess the patient and obtain additional vital signs after assessing that the aforementioned Patient Medical Record Number 58440 had a pulse of forty-six (46) at 8 pm. Eight (8) hours later on Respondent's shift, the patient was found deceased. Respondent's conduct was likely to injure the patient from unrecognized clinical changes and deprived the patient of timely interventions.
9. On or about November 14, 2014, and November 15, 2014, while employed as a PRN Staff Nurse with Health South Rehabilitation Hospital of Midland and Odessa, Midland, Texas, Respondent failed to completely document the status of the aforementioned Patient Medical Record Number 58440 in his medical record. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient from subsequent care decisions made without the benefit of accurate and complete information.

10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that after her routine assessment of the patient around 8 pm, she noted that the patient had a low pulse. Respondent indicates that she informed the patient of his heart rate and asked how he felt, and if that pulse reading was normal for him. Respondent relates that the patient stated that he felt great, and thought that his therapy was helping him get stronger, and he was walking around his room without support or a walker for short distances. Respondent explains that he was on Coreg, a beta-blocker that might further lower his heart rate, so thought it best to withhold that night's dose. Respondent adds that she put on the physician's Communication Board that she had held the Coreg, and would need parameters for the Coreg in the future. Respondent states that the physician checks his Communication Board every morning about 5 am. Respondent adds that at the time she thought it could wait since the patient was asymptomatic. Respondent recounts that she didn't notify the House Supervisor of the patient's pulse rate since at the time he was asymptomatic and stated that he felt great. Respondent states that she did continue to check on the patient throughout the night.
10. Formal Charges were filed on February 12, 2016.
11. Formal Charges were mailed to Respondent on February 17, 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 §217.11(1)(A),(1)(B),(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 797984, heretofore issued to SANDRA GAYLE ATKINSON, 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 physical assessment** 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 must be provided by the same Registered Nurse. The course's content shall include physical assessment of all body systems. The clinical component SHALL include physical assessment of live patients in a clinical setting; Performing assessments on mock patients or mannequins WILL NOT be accepted. 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. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- D. **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. 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 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

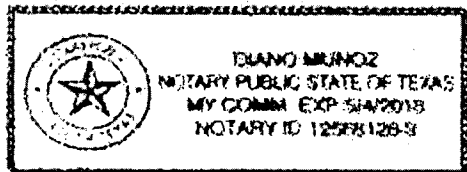
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 24 day of August, 2016.

Sandra Gayle Atkinson
SANDRA GAYLE ATKINSON, Respondent

Sworn to and subscribed before me this 24 day of August, 2016.

SEAL



Diana Munoz
Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn R. Mackay
Taralynn R. Mackay, Attorney for Respondent

Signed this 25th day of August, 2016.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 24th day of August, 2016, by SANDRA GAYLE ATKINSON, Registered Nurse License Number 797984, and said Order is final.

Effective this 27th day of October, 2016.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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