



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 554064	§	
issued to CAROLYN JEANENE GALEWALER	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CAROLYN JEANENE GALEWALER, Registered Nurse License Number 554064, 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)&(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 June 3, 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 a Diploma in Nursing from Grayson County College, Denison, Texas, on May 6, 1989. Respondent was licensed to practice professional nursing in the State of Texas on August 25, 1989.
5. Respondent's nursing employment history includes:

05/1989 - 11/1990	GN/Staff Nurse	TMC Medical Center
		Denison, TX

(nursing employment history continued)

1990	Charge Nurse	Wilson N. Jones Hospital Sherman, TX
1990	Staff Nurse	Medical Plaza Hospital Sherman, TX
11/1990 - 08/1992	Staff Nurse	Arbor Creek Hospital Sherman, TX
08/1992 - 11/1994	Pediatric Nurse	Project Kind Early Childhood Denison, TX
11/1994 - 12/1995	Charge Nurse	Columbia Medical Center Sherman, TX
12/1995 - 05/1998	Charge Nurse	Wilson N. Jones Hospital Sherman, TX
05/1998 - 08/1999	RN/Director	Post Oak Nursing Center Sherman, TX
08/1999 - 02/2000	Charge Nurse	Denison Manor Nursing Home Denison, TX
08/1999 - 08/2000	Charge Nurse	TMC Behavioral Health Center Sherman, TX
08/2000 - 05/2001	Staff Nurse	North Central Medical Center McKinney, TX
05/2001 - 04/2002	Unknown	
04/2002 - 02/2004	Staff Nurse	Medical Center of Plano Plano, TX
02/2004 - 07/2004	Not employed in nursing	
08/2004 - 03/2011	Charge Nurse	Whitesboro Health and Rehabilitation Center Whitesboro, TX

(nursing employment history continued)

03/2011 - 07/2012	Charge Nurse	Countryside Health and Rehabilitation Pilot Point, TX
07/2012 - 01/2013	Unknown	
01/2013 - 09/2013	Charge Nurse	Homestead Nursing and Rehabilitation Collinsville, TX
09/2013 - 10/2013	Unknown	
10/2013 - 07/2014	Charge Nurse	Renaissance Care Center Gainesville, TX
07/2014 - 08/2014	RN/Case Manager	Quality Home Health Care Inc. Sherman, TX
08/2014 - 03/2015	RN/Team Leader	MHMR Services of Texoma Sherman, TX
03/2015 - Present	Unknown	

6. On or about April 25, 2003, Respondent was issued the sanction of a WARNING WITH STIPULATIONS by the Board Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated April 25, 2003, is attached and incorporated herein, by reference, as part of this Order.
7. On or about August 9, 2005, Respondent was issued the sanction of a REPRIMAND WITH STIPULATIONS by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated August 9, 2005, is attached and incorporated herein, by reference, as part of this Order.
8. At the time of the initial incident, Respondent was employed as a RN/Team Leader with MHMR Services of Texoma, Sherman, Texas, and had been in that position for approximately seven (7) months.
9. On or about February 1, 2015, Respondent submitted an Online Renewal Document 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 judgment/punishment/action?"

Respondent failed to disclose that, on or about January 9, 2015, Respondent was arrested by the Sherman Police Department, Sherman, Texas, for THEFT PROP>=\$500<\$1500, a Class A misdemeanor offense. Respondent was subsequently charged under Case No. 2015-2-0196 for THEFT PROP>=\$500<\$1,500. The charge was pending at the time of renewal. On or about May 3, 2016, Case No. 2015-2-0196 was dismissed in County Court at Law #2, Grayson County, Texas. The charge was pending at the time of renewal.

- 10. In response to Finding of Fact Number Nine (9), Respondent states she just scanned through the instructions and saw the questions asking if she had been convicted of a misdemeanor or felony. As she had not been to court, she assumed that she would have to report the incidents on the next renewal. She didn't see the question about being arrested.

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).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 554064, heretofore issued to CAROLYN JEANENE GALEWALER, 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, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 554064, previously issued to CAROLYN JEANENE GALEWALER, to practice nursing in Texas is hereby **SUSPENDED** with the suspension **STAYED** and Respondent is hereby placed on **PROBATION**, 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 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. **FURTHER COMPLAINTS**

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

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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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 30 day of November, 2016.

Carolyn Jeanene Galewaler
CAROLYN JEANENE GALEWALER, Respondent

Sworn to and subscribed before me this 30 day of November, 2016.


SEAL

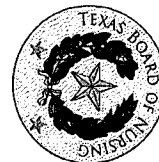
Francisco Trujillo
Notary Public in and for the State of Arkansas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 30th day of November, 2016, by CAROLYN JEANENE GALEWALER, Registered Nurse License Number 554064, and said Order is final.

Effective this 19th day of January, 2017.


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



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 BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse	§	AGREED
License Number 554064	§	ORDER
issued to CAROLYN JEANENE CLARKE	§	

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of CAROLYN JEANENE CLARKE, Registered Nurse License Number 554064, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1) and (13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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.
2. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Grayson County College, Denison, Texas, in May 1989. Respondent was licensed to practice professional nursing in the State of Texas on August 25, 1989.

5. Respondent's professional nursing employment history includes:

5/89 - 11/90	GN/Staff Nurse	TMC Medical Center Denison, Texas
1990	Charge Nurse	Wilson N. Jones Hospital Sherman, Texas
1990	Staff Nurse	Medical Plaza Hospital Sherman, Texas
11/90 - 8/92	Staff Nurse	Arbor Creek Hospital Sherman, Texas
8/92 - 11/94	Pediatric Nurse	Project Kind Early Childhood Denison, Texas
11/94 - 12/95	Charge Nurse	Columbia Medical Center Sherman, Texas
12/95 - 5/98	Charge Nurse	Wilson N. Jones Hospital Sherman, Texas
5/98 - 8/99	RN/Director	Post Oak Nursing Center Sherman, Texas
8/99 - 2/00	Charge Nurse	Denison Manor Nursing Home Denison, Texas
8/99 - 8/00	Charge Nurse	TMC Behavioral Health Center Sherman, Texas
8/00 - 5/01	Staff Nurse	North Central Medical Center McKinney, Texas
5/01 - 4/02	Unknown	
4/02 - 2/04	Staff Nurse	Medical Center of Plano Plano, Texas
2/04 - 7/04	Not employed in nursing	
8/04 - present	Charge Nurse	Whitesboro Health and Rehabilitation Center Whitesboro, Texas

6. On April 25, 2003, Respondent was issued the sanction of a Warning with Stipulations by the Board of Nurse Examiners for the State of Texas. A copy of the April 25, 2003, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as part of this Order.
7. On or about May 5, 2003, while employed with Medical Staffing of Plano, Plano, Texas, Respondent failed to comply with the Agreed Order issued to her on April 25, 2003. Noncompliance is the result of her failure to comply with Stipulation Number Six (6) of the Agreed Order which states, in pertinent part:

(6) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order....

8. On or about August 15, 2003, November 15, 2003, and February 15, 2004, while employed with the aforementioned facility, Respondent failed to comply with the Agreed Order issued to her on April 25, 2003. Noncompliance is the result of her failure to comply with Stipulation Number Eight (8) of the Agreed Order which states, in pertinent part:

(8) 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 professional nursing....

9. Respondent states that she gave her unit director a copy of the Order and the Notification of Employment form to fill out and return to the Board and was told by the unit director that she would take care of all written responses to the Board.
10. On or about February 12, 2004, while employed with Medical Center of Plano, Plano, Texas, Respondent failed to follow the policy and procedure for blood administration when she allowed a unit of blood to infuse for six (6) hours instead of the required four (4) hours. Respondent's conduct exposed the patient to significant risk of bacterial shock.
11. On August 1, 2003, Respondent completed a Nursing Jurisprudence course as required by the Board.
12. On December 13, 2003, Respondent completed a Human Physiology course as required by the Board.
13. On March 15, 2004, Respondent completed a Physical Assessment course with clinicals as required by the Board.

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 violations of Section 301.452(b)(1) and (13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 554064, heretofore issued to CAROLYN JEANENE CLARKE, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a Reprimand with Stipulations, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) The stipulations outlined and required herein SHALL supercede all previous stipulations required by any Order entered by the Board of Nurse Examiners.

(2) RESPONDENT SHALL pay a monetary fine in the amount of eight hundred fifty (\$850.00) dollars. RESPONDENT SHALL pay this fine within ninety (90) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL

CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a professional nurse.

(6) For the first year of employment as a professional nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse 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). The 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.

(7) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered 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.

(8) 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 professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for two (2) years of employment as a professional nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

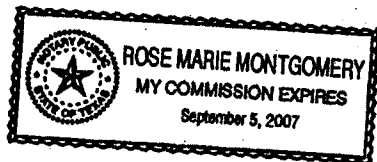
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of July, 2005.
Carolyn Jeanene Clarke
CAROLYN JEANENE CLARKE, Respondent

Sworn to and subscribed before me this 14 day of July, 2005.

SEAL

Rose Montgomery
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 14 day of July, 20 05, by CAROLYN JEANENE CLARKE, Registered Nurse License Number 544064, and said Order is final.

Effective this 9th day of August, 20 05.



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 554064 § AGREED
issued to CAROLYN JEANENE CLARKE § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of CAROLYN JEANENE CLARKE, License Number 554064, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on December 11, 2002, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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.
2. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Grayson County College, Denison, Texas, in May 1989. Respondent was licensed to practice professional nursing in the State of Texas on August 25, 1989.

5. Respondent's professional employment history includes:

5/1989 - 11/1990	GN/Staff RN - Post-Partum Newborn Nursery, L&D	TMC Medical Center Denison, Texas
1990	Charge RN Newborn Nursery	Wilson N. Jones Hospital Sherman, Texas
1990	Staff RN - PRN Emergency Room	Medical Plaza Hospital Sherman, Texas
11/1990 - 8/1992	Charge RN Psych & CD Units	Arbor Creek Hospital Sherman, Texas
8/1992 - 11/1994	Pediatric Nurse Health Education	Project Kind Early Childhood Denison, Texas
11/1994 - 12/1995	Charge RN Geri-Psych Unit	Columbia Medical Center Sherman, Texas
12/1995 - 5/1998	Charge RN Rehab Unit	Wilson N. Jones Hospital Sherman, Texas
5/1998 - 8/1999	RN - Director Geri-Psych Unit	Post Oak Nursing Center Sherman, Texas
8/1999 - 2/2000	Charge RN	Denison Manor Nursing Home Denison, Texas
8/1999 - 8/2000	Charge RN Psych & CD Units	TMC Behavioral Health Ctr. Sherman, Texas
8/2000 - 5/2001	Staff RN Post-Partum	North Central Medical Center McKinney, Texas
4/2002 - Present	Staff RN Women's Services	Medical Center of Plano Plano, Texas

6. At the time of the initial incident, Respondent was employed as a Staff RN in the Women's Services Department with the Medical Center of Plano, Plano, Texas, and had been in this position for two (2) months.
7. While employed at the Medical Center of Plano, Plano, Texas, on or about May 28, 2002, Respondent failed to report to the charge nurse or the physician the hypotensive status of post-operative Patient Medical Record Number 080266. The physician's post-operative orders directed the Respondent to notify the physician if the patient's blood pressure dropped below 90/60. Subsequent to fluid boluses and transfusions, Patient Medical Record Number 080266 developed renal failure and pulmonary edema, necessitating transfer to the critical care unit for two (2) days. Respondent's behavior exposed the patient unnecessarily to a risk of hemorrhage, shock, infection, renal failure and/or death.
8. While employed at the Medical Center of Plano, Plano, Texas, on or about June 27, 2002, Respondent failed to report a low blood pressure on post-operative Patient Medical Record Number 359853. The physician's orders directed Respondent to notify the physician if the patient's blood pressure dropped below 90/60. Respondent's behavior exposed the patient unnecessarily to a risk of hemorrhage, shock, infection, renal failure and/or death.

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 of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(2)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 554064, heretofore issued to CAROLYN JEANENE CLARKE, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to CAROLYN JEANENE CLARKE, to the office of the Board of Nurse Examiners within ten (10) days from date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. It shall be a

minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours which shall be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of physical assessment only. To be approved, the course shall cover all systems of the body. 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. RESPONDENT SHALL successfully complete both the didactic and

clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in human physiology. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. This course shall be taken through an accredited academic institution and shall be a minimum of three (3) semester hours in length. The course shall include a laboratory component. If the course does not include a laboratory component, RESPONDENT SHALL concurrently complete the accompanying laboratory course offered by the institution. To be approved, the course's content shall include: a review of the function of the entire human body; an emphasis on the characteristics of physiological processes; and the influence of environmental and other factors on these processes. RESPONDENT SHALL receive a grade of C or better to meet the requirements of this stipulation. RESPONDENT SHALL submit a copy of the final grade for the course to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING, UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE, OR WHERE DIRECT PATIENT CARE IS NOT PROVIDED, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in professional nursing of this Order of the Board and the stipulations conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in professional nursing of this Order of the Board and the stipulations conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a professional nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising RN 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 RN 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.

(8) 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 professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for ONE (1) year of employment as a professional nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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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 alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17 day of February, 2003.

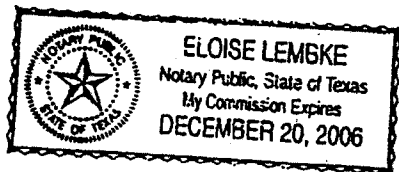
Carolyn Jeanene Clarke
CAROLYN JEANENE CLARKE, Respondent

Sworn to and subscribed before me this 17 day of February, 2003.

SEAL


Eloise Lemcke

Notary Public in and for the State of 12/20/2006



WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 17th day of February, 2003, by CAROLYN JEANENE CLARKE, License Number 554064, and said Order is final.

Effective this 25th day of April, 2003.


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