

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
 Vocational Nurse License Number 137589 §
 issued to TEENA MARIE DRAIN §
 PETITIONER for Exception §

ORDER OF MODIFICATION

A public meeting of the Eligibility and Disciplinary Committee of the Board, hereinafter referred to as the Committee, was held on February 14, 2017, at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, to consider the Petition for Exception and supporting documents filed by TEENA MARIE DRAIN, hereinafter referred to as PETITIONER.

PETITIONER appeared in person.

Board Members in attendance were: Patti Clapp, BA; Kathy Shipp, MSN, RN, FNP; and Allison Porter-Edwards, DrPH, MSN, RN. Staff present were: James W. Johnston, General Counsel; Anthony L. Diggs, Director, Enforcement Division; John DeLaRosa, Program Specialist; Kathy Hoffman, Legal Assistant Supervisor; Krystal Mendoza, Legal Assistant; Diane E. Burell, Compliance Supervisor; and Elise McDermott, Nurse Consultant.

After review and due consideration of the filed Petition, the Committee voted to modify the Agreed Order entered on November 12, 2014. Therefore, PETITIONER is required to comply with and complete all of the requirements of the November 12, 2014, Agreed Order, except that Stipulation Numbers Ten (10), Eleven (11), and Twelve (12) are modified as follows:

(10) For the first year of employment as a vocational nurse under this Order, RESPONDENT SHALL be directly supervised by a physician, a Registered Nurse or a Licensed Vocational Nurse. Direct supervision requires a physician, professional nurse or vocational 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 is prohibited.

(11) For the remainder of the probation period, RESPONDENT SHALL be supervised by a physician, a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising physician or 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 physician or nurse shall have a minimum of two (2) years experience in the same or similar setting to which the RESPONDENT is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined units(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.

(12) 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 physician or nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising physician or nurse to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

PETITIONER is responsible for completing all remaining requirements of the November 12, 2014, Agreed Order as written.

Entered this 14th day of February, 2017.

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