



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 862107 §
issued to BRITON BRYANT ALEXANDER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BRITON BRYANT ALEXANDER, Registered Nurse License Number 862107, 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 10, 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 Baccalaureate Degree in Nursing from Washburn University, Topeka, Kansas, on December 16, 2011. Respondent was licensed to practice professional nursing in the State of Kansas on January 26, 2012, and was licensed to practice professional nursing in the State of Texas on July 30, 2014.
5. Respondent's nursing employment history includes:

01/2012 - 03/2012	Unknown
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Respondent's nursing employment history continued:

03/2012 - 10/2012	Registered Nurse	Providence Medical Center Kansas City, Kansas
10/2012 - 05/2014	Registered Nurse	Kaw Valley Center - Prairie Ridge Hospital Kansas City, Kansas
07/2014 - 08/2014	Registered Nurse	Parkland Hospital Dallas, Texas
08/2014 - 01/2016	Registered Nurse	Children's Health Children's Medical Center Dallas, Texas
02/2016 - 03/2016	Registered Nurse	Metrocare Services Dallas, Texas
04/2016 - 07/2016	Unknown	
08/2016 - Present	Registered Nurse	Health Care Services Corporation Richardson, Texas

6. At the time of the initial incidents, Respondent was employed as a Registered Nurse with Children's Health Children's Medical Center, Dallas, Texas, and had been in that position for one (1) year and one (1) month.
7. On or about September 24, 2015, while employed as a Registered Nurse with Children's Health Children's Medical Center, Plano, Texas, Respondent failed to administer two (2) doses of Lorazepam to Patient Medical Record Number 3696327, as ordered by a physician. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by a physician could have resulted in non-efficacious treatment.
8. On or about September 24, 2015, while employed as a Registered Nurse with Children's Health Children's Medical Center, Plano, Texas, Respondent falsely documented that Patient Medical Number 3696327 refused two (2) doses of Lorazepam in the Medication Administration Record (MAR). Respondent subsequently admitted to falsifying the patient's refusal. Respondent's conduct created an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate information on which to base their care decisions.

9. On or about January 3, 2016, while employed as a Registered Nurse with Children's Health Children's Medical Center, Plano, Texas, Respondent failed to administer Lorazepam to Patient Medical Record Number 3849953, as ordered by a physician. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by a physician could have resulted in non-efficacious treatment.

10. In response to the incidents in Findings of Fact Numbers Seven (7), and Eight (8), Respondent states that he failed to administer a 1200 dose of Lorazepam and a 1700 dose of Lorazepam. Respondent states that he had received a shortened, three (3) day shadowing/orientation due to an immediate need of someone to take the unit. Respondent states that he was still working out how to organize his responsibilities and duties for this new position, but does take responsibility and accountability for the two missed dosages. Respondent states that the records reflect that he made detailed and appropriate chart entries of his care for this patient for his shift. Respondent states that after realizing he failed to administer the 1200 and 1700 doses, he falsely documented that the patient refused. Respondent states that this patient had been inconsistent with making meal plans and even missed meals; the medication had to be given prior to meals. Respondent states that he did not and would not document that the medication was given, which would have caused subsequent care givers to believe that the patient had received the medication. Respondent states that he was embarrassed that he forgot and was unsure how to handle the situation at that time. Respondent explains that when questioned, he initially stated the patient refused, but he knew these actions were contrary to how he conducted himself both in personal and professional life. Respondent states that he did go to his supervisor and told his supervisor what he had done. Respondent states that he was put on an employment Performance Improvement Plan, all conditions of which he completed, and that this infraction was submitted to the Peer Review Board at the hospital. In response to the incidents in Finding of Fact Number Nine (9), Respondent states that he failed to administer a 1700 dose of Lorazepam. Respondent states that the patient that had the Lorazepam ordered was handed off to him by another nurse at or around 1500, due to that nurse leaving early for the day. Respondent states that from the records provided to him by the Board, it appears that his supervisor documented that the dose was missed. Respondent states that the records also reflect that this medication was discontinued by the physician the day after the missed dose, and that he appropriately administered the patient's medication on the day previous to the missed dose, when he was the patient's assigned nurse.

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)(C)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(A),(6)(H)&(10)(B).
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 862107, heretofore issued to BRITON BRYANT ALEXANDER.
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. 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 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.
- C. **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 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.

V. 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.

Respondent's current position as a Medical Management Specialist I (TX STAR Kids - Service Coordinator II) with Health Care Services Corporation, Richardson, Texas, is an acceptable position for completing the requirements of this Order. 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. Indirect Supervision:** 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.
- 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.

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 DECLARATION

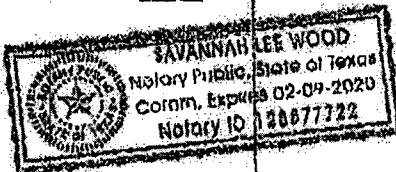
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said 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 action, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 31 day of January, 2017.

Brian Bryant Alexander
BRIAN BRYANT ALEXANDER, Respondent

Witness to and subscribed before me this 31st day of January, 2017.

Savannah Lee Wood
Notary Public in and for the State of Texas



Approved as to form
Nancy Roper Wickham
Attorney for Respondent
February 2, 2017

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 31st day of January, 2017, by BRITON BRYANT ALEXANDER, Registered Nurse License Number 862107, and said Order is final.

Effective this 21st day of March, 2017.



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