



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 ORDER
Registered Nurse License Number 876133 § FOR
issued to WENDY LEE GUNTER § KSTAR PILOT PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of WENDY LEE GUNTER, Registered Nurse License Number 876133, 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 December 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 a Diploma in Nursing from the Senterra School of Health Professions, Chesapeake, Virginia, on October 24, 2003. Respondent was licensed to practice professional nursing in the State of Virginia in 2003, and was licensed to practice professional nursing in the State of Texas on April 15, 2015.
5. Respondent's nursing employment history includes:

2003-5/2005	Labor and Delivery Nurse	Sentara Norfolk General Norfolk, Virginia
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Respondent's nursing employment history continued:

6/2005-5/2008	Day Shift Supervisor	Harton Regional Medical Center Tullahoma, Tennessee
7/2008-5/2015	Charge Nurse	Fort Walton Beach Medical Center Fort Walton Beach, Florida
8/2015-12/2015	Labor and Delivery Nurse	Paris Regional Medical Center Paris, Texas
12/2015-3/2016	Labor and Delivery Nurse	Hopkins County Memorial Hospital Sulphur Springs, Texas
4/2016-Present	Unknown	

6. At the time of the incidents, Respondent was employed as a Labor and Delivery Nurse with Hopkins County Memorial Hospital, Sulphur Springs, Texas, and had been in that position for four (4) months.
7. On or about March 2, 2016, while employed as a Labor and Delivery Nurse at Hopkins County Memorial Hospital, Sulphur Springs, Texas, Respondent administered Pitocin to Patient AM at the incorrect rate for approximately three (3) hours, by setting the pump to run at milliliters/hour, instead of milliunits/minute, as ordered. Respondent's conduct was likely to injure the patient in that failure to administer Pitocin as ordered by the physician could have resulted in non-efficacious treatment.
8. On or about March 2, 2016, while employed as a Labor and Delivery Nurse at Hopkins County Memorial Hospital, Sulphur Springs, Texas, Respondent failed to correctly document the administration of Pitocin in the medical record of the aforementioned Patient AM, and instead documented that the medication was running at milliunits/minute. Additionally, Respondent failed to document the administration rates for approximately five (5) hours, and failed to document the end time of the Pitocin administration. Respondent's conduct resulted in an inaccurate medical record and exposed the patient to a risk of harm in that subsequent care givers would not have accurate and complete information on which to base their care decisions.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she had the Pitocin rate set on milliliters instead of milliunits, but it was not intentional and was corrected when her coworker pointed out her error. Respondent adds that the setting of milliliters meant that the patient was under dosed, not over dosed. Respondent states that to the extent the chart reads differently is a charting error. Respondent states that the Pitocin was stopped prior to delivery, and the baby was born healthy with an excellent APGAR score.

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),(1)(M)&(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 876133, heretofore issued to WENDY LEE GUNTER.
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** 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. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PILOT PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program and RESPONDENT SHALL:

- (A) Within forty-five (45) days of entry of this Order, apply to and enroll in the KSTAR Pilot Program, including payment of any fees and costs, unless otherwise agreed in writing;
- (B) Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;
- (C) Follow all requirements within the remediation plan, if any;
- (D) Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Pilot Program; and
- (E) Provide written documentation of successful completion of the KSTAR Pilot Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Pilot Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of Respondent's license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

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 26 day of Jan, 2017.

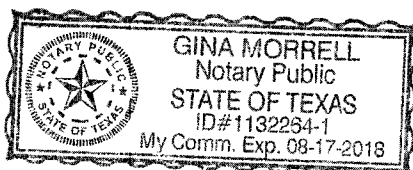
Wendy Lee Gunter
WENDY LEE GUNTER, Respondent

Sworn to and subscribed before me this 26th day of January, 2017.

SEAL

Gina Morrell

Notary Public in and for the State of Texas



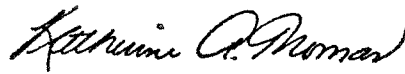
Approved as to form and substance.

J. Stephen Walker
J. Stephen Walker, Attorney for Respondent

Signed this 26 day of January, 2017.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 26th day of January, 2017, by WENDY LEE GUNTER, Registered Nurse License Number 876133, 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