

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 758363	§	
issued to ELIZABETH RUTH HALLMOTEN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ELIZABETH RUTH HALLMOTEN, Registered Nurse License Number 758363, 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 October 27, 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 CCC-Kennedy-King College, Chicago, Illinois on December 20, 1997. Respondent was licensed to practice professional nursing in the State of Texas on July 16, 2008.
5. Respondent's nursing employment history includes:

12/1997 - 1/1999	Registered Nurse	Jackson Park Hospital Chicago, Illinois
1/1999 - 6/2000	Registered Nurse	Holy Cross Hospital Chicago, Illinois

Respondent's nursing employment history continued:

7/2000 - 11/2006	Registered Nurse	John H. Stroger Jr. Hospital Chicago, Illinois
12/2006 - 7/2008	Registered Nurse	Gareda Diversified Business Chicago, Illinois
9/2008 - 5/2009	Registered Nurse	Seton North West Hospital Austin, Texas
5/2009 - 2/2010	Registered Nurse	Seton Main Medical Center Austin, Texas
5/2009 - 8/2010	Director of Nursing	Rosy Home Healthcare, Inc. Austin, Texas
5/2010 - 8/2010	Registered Nurse	Gilead Health Care, Inc. Round Rock, Texas
8/2010 - 5/2012	Registered Nurse	Quixstaff Home Health Care, Inc. Austin, Texas
6/2012 - 5/2014	Registered Nurse	St. David's Medical Center Round Rock, Texas
10/2013 - Present	Registered Nurse Owner	Total Care Home Health, Inc. Round Rock, Texas
5/2014 - 5/2014	Registered Nurse	Interim Health Care Austin, Texas
6/2014 - 12/2014	Registered Nurse	Bel Air Teravista Round Rock, Texas
1/2015 - Present	Registered Nurse	Premieant, Inc. Austin, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Total Care Home Health, Inc., Round Rock, Texas, and had been in that position for two (2) years and one (1) month.
7. On or about November 26, 2015, while employed as a Registered Nurse with Total Care Home Health and assigned to Regency Care Home, Pflugerville, Texas, Respondent failed to obtain physician orders and current medications while performing an admission assessment on Patient DH-V (Care ID# 14249421). Respondent did not have up to date

medication information and further she inappropriately documented on the assessment sheet that the patient can self-administer the medications she had, when in fact the ordered medications were not in the patient's possession at that time. As a result, infection (Bactrim) and seizure (Trileptal) medications were not administered properly over a four (4) day span. Respondent's conduct was likely to injure the patient from medical complications, such as infection and/or seizures, due to therapeutic medications not being administered, and Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to provide further care.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states the patient arrived to the home for an emergency admission, and she had multiple psychotropic medications in her possession. Respondent states all of the medications were in bottles and labeled appropriately with dosage, time and route, but she didn't have any current physician orders for the medication reconciliation. Respondent states she later found out that the patient did have discharge orders when she found them in the patient's belongings after the patient left the home.

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)(N), (1)(P) & (3)(A) and 217.12(1)(A), (1)(B), (1)(C) & (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 758363, heretofore issued to ELIZABETH RUTH HALLMOTEN.
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. 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 medication administration** 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 be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes;

computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. 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 four (4) quarterly periods [one (1) year] of employment. 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. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- 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.

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 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.

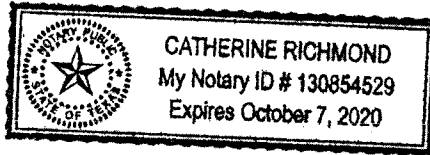
Signed this 26 day of January, 2017.

Elizabeth Ruth Hall-Moten
ELIZABETH RUTH HALLMOTEN, Respondent

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

SEAL

Catherine Richmond
Notary Public in and for the State of TX



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 ELIZABETH RUTH HALLMOTEN, Registered Nurse License Number 758363, 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