



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or its 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

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In the Matter of § AGREED  
Registered Nurse License Number 500062 §  
& Vocational Nurse License Number 56474 §  
issued to JULIE A BIERI § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JULIE A BIERI, Registered Nurse License Number 500062 and Vocational Nurse License Number 56474, 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 February 24, 2017.

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 vocational nurse in the State of Texas is in delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from St. Luke's Episcopal School of Vocational Nursing, Houston, Texas, on April 20, 1973; and Respondent received a Diploma in Nursing from Brackenridge Hospital, Austin, Texas, on May 1, 1982. Respondent was licensed to practice vocational nursing in the State of Texas on April 20, 1973; and Respondent was licensed to practice professional nursing in the State of Texas on September 15, 1982.

5. Respondent's nursing employment history includes:

1973 - 1992	Unknown	
1993 - 1995	RN	Barton Creek Pediatric Home Health Austin, Texas
1995 - 1997	RN	The Medical Team Home Health Company Austin, Texas
1998 - 2002	Unknown	
2003 - 2004	RN	Taos Living Center Taos, New Mexico
2004 - 2011	RN	Maxim Health Care Services Austin, Texas
2011 - 2015	RN	Epic Health Services Austin, Texas
01/14 - 01/15	RN	Southwood Care Center Austin, Texas
02/15 - 07/15	Unknown	
08/15 - 04/16	RN	Viva Pediatrics Austin, Texas
05/16 - Present	Unknown	

6. At the time of the incident, Respondent was employed as a Registered Nurse with Viva Pediatrics, Austin, Texas, and had been in that position for eight (8) months.
7. On or about April 15, 2016, while employed as a Registered Nurse with Viva Pediatrics, Austin, Texas, and assigned to provide nursing services/patient care for Patient LD, Respondent failed to timely report a change in condition to the Director of Nursing (DON) and/or the patient's physician after the patient spit up bloody sputum. Respondent's conduct unnecessarily delayed the onset of medical care needed to prevent further complications.
8. In response to Finding of Fact Number Seven (7), Respondent states that she called the patient's mother to notify her about the bloody sputum, and offered to notify the physician; however, the patient's mother said she preferred to call the physician herself.

## 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),(B),(D),(M)&(P) and 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 500062 and Vocational Nurse License Number 56474, heretofore issued to JULIE A BIERI.
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 **REMEDIAL EDUCATION** 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](http://www.bon.texas.gov/compliance).*

### IV. 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.

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.

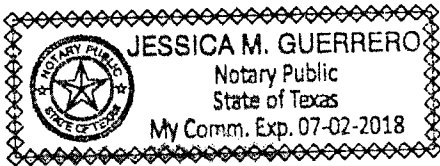
Signed this 27 day of March, 2017.

Julie A. Bieri  
JULIE A BIERI, Respondent

Sworn to and subscribed before me this 27 day of March, 2017.

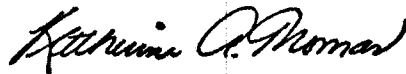
SEAL

Jessica M. Guerrero  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 27th day of March, 2017, by JULIE A BIERI, Registered Nurse License Number 500062 and Vocational Nurse License Number 56474, and said Order is final.

Effective this 29th day of March, 2017.



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