



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or its 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 756963 §
issued to JAMES KEITH FRITTS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JAMES KEITH FRITTS, Registered Nurse License Number 756963, 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)(1)&(10), 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 21, 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 Associates Degree in Nursing from Grayson County College, Denison, Texas, on May 10, 2008. Respondent was licensed to practice professional nursing in the State of Texas on July 1, 2008.
5. Respondent's nursing employment history is unknown.

6. On or about May 21, 2014, Respondent was arrested by the Grayson County Sheriff's Office for 2 COUNTS OF AGGRAVATED ASSAULT W/DEADLY WEAPON, a 2nd Degree Felony offense. On or about August 20, 2015, Respondent entered a plea of Guilty and was convicted of ASSAULT CAUSES BODILY INJ, a Class A misdemeanor offense committed on May 21, 2014, in the 15th District Court at Law of Grayson County, Texas, under Cause No. 065711 CT. 1. As a result of the conviction, Respondent was sentenced to confinement in the Grayson County Jail for a period of one (1) year; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years, and ordered to pay a fine and court costs.
7. On or about May 21, 2014, Respondent was arrested by the Grayson County Sheriff's Office for 1 COUNT OF ACCIDENT INVOLVING IN/DEATH, a 3rd Degree Felony offense. On or about August 20, 2015, Respondent entered a plea of Guilty and was convicted of TERRORISTIC THREAT, a Class B misdemeanor offense committed on May 21, 2014, in the 15th District Court at Law of Grayson County, Texas, under Cause No. 065711 CT. 2. As a result of the conviction, Respondent was sentenced to confinement in the Grayson County Jail for a period of one hundred eighty (180) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years, and ordered to pay a fine and court costs.
8. In response to Findings of Fact Numbers Six (6) through Seven (7), Respondent states he was leaving a local hardware shop in Sherman, Texas. He was in a hurry to get home to a plumbing problem. After driving onto highway 82, he heavily engaged his throttle to pass a vehicle. Upon making the lane change and approaching the off ramp, he came upon a vehicle driving at a very slow rate of speed entering the off ramp. He disengaged his throttle, but there was no response. He immediately begin to brake while his throttle was still engaged. He was able to brake enough that only slight contact was made on three instances with the vehicle in front of him. After the third contact was made he was able to kick at his throttle peddle enough to cause it to brake free from the floor mat which it had become stuck up under. When he exited his vehicle the man from the other car came rushing over in a panic and upset state, he tried to explain what happened. the man yelled something at him. They each returned to their vehicles the other man very upset and rightfully so. As he was dialing 911 he heard the women passenger in the other car say get back in the car and put that back. He had something in his hand. He became afraid that he may be armed and he proceeded to leave the scene and get distance from him. From that point he made one of the biggest mistakes. There was no damage to either vehicle and he decided to let things be. He was very shook up as well and decided not to push the issue and drove home. Over a year had passed and he was returning from assignment in New Mexico. Local police came to his home to inform him he had a warrant for his arrest. He was driving a Toyota Tacoma and there was a safety recall for the throttle being stuck under the floor mat. A plea bargain was made by the DA

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 §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 756963, heretofore issued to JAMES KEITH FRITTS.
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. 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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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.

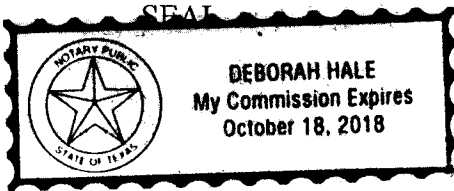
Signed this 25 day of April, 2017.

James Keith Fritts
JAMES KEITH FRITTS, Respondent

Sworn to and subscribed before me this 25 day of April, 2017.

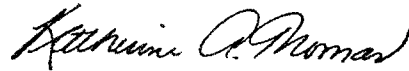
Deborah Hale

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 25th day of April, 2017, by JAMES KEITH FRITTS, Registered Nurse License Number 756963, and said Order is final.

Effective this 13th day of June, 2017.



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