



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 646933 §
& Vocational Nurse License Number 164212 §
issued to ESTHER GAIL GOSDIN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ESTHER GAIL GOSDIN, Registered Nurse License Number 646933 and Vocational Nurse License Number 164212, 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 March 13, 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 on December 20, 1996, and received an Associate Degree in Nursing from Tarleton State University, Stephenville, Texas on December 1, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on September 18, 1997, and was licensed to practice professional nursing in the State of Texas on December 10, 1997.

5. Respondent's nursing employment history includes:

9/1997-7/1998	Unknown	
8/1998 - 5/2006	Registered Nurse	Huguley Memorial Medical Center Ft. Worth, Texas
6/2006 - 12/2010	Unknown	
1/2011 - 8/2015	Registered Nurse	Texas Health Presbyterian Hospital Dallas, Texas
9/2015 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Texas Health Presbyterian Hospital, Dallas, Texas, and had been in that position for three (3) years and eleven (11) months.
7. On or about November 23, 2014, while employed as a Registered Nurse with Texas Health Presbyterian Hospital, Dallas, Texas, Respondent failed to report a high potassium level of 5.7mEq/L for Patient Number-1629791 to the physician, as ordered. Subsequently, there was a delay in administration of Kayexalate, which lowers potassium levels. Respondent's conduct was likely to injure the patient from potentially adverse complications of untreated fluctuations in potassium, including cardiac arrhythmias.
8. On or about July 30, 2015, while employed as a Registered Nurse with Texas Health Presbyterian Hospital, Dallas, Texas, Respondent failed to notify the charge nurse or the physician of the post-procedure bleeding of Patient Number 310566, after a cardiac sheath procedure. Respondent's conduct exposed the patient to risk of harm by depriving the physician of vital information that would be required to institute timely medical interventions to stabilize the patient's condition.
9. In response to the incidents in Findings of Facts Numbers Seven (7) and Eight (8), Regarding Patient 1629791, Respondent states she was not advised that the physician's order was to call regarding the potassium level when she received report, so she monitored the patient for signs of hyperkalemia and changes in the electrocardiogram (EKG). Respondent adds that the patient was on telemetry monitoring. Respondent states that she has been taught that the range for potassium is 3.5 to 6, and "has not been taught to notify the physician as a matter of course when the potassium level reaches 5.6." Regarding Patient 310566, Respondent acknowledges that the patient experienced some bleeding; however, the incident as described by the hospital is greatly exaggerated. Respondent states the patient did have some "seeping" blood, and she applied pressure and a pressure dressing, and later there was only "a small amount of red drainage" which is consistent with the next shift's note of "some oozing" from the site.

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) 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 646933 and Vocational Nurse License Number 164212, heretofore issued to ESTHER GAIL GOSDIN.
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 individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual 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

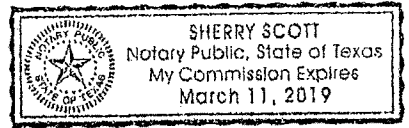
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 23 day of June, 2017.

Esther Gail Gosdin
ESTHER GAIL GOSDIN, Respondent

Sworn to and subscribed before me this 23rd day of June, 2017.

SEAL



[Signature]
Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]
David Langenfeld, Attorney for Respondent

Signed this 30th day of June, 2017

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 23rd day of June, 2017, by ESTHER GAIL GOSDIN, Registered Nurse License Number 646933 and Vocational Nurse License Number 164212, and said Order is final.

Effective this 8th day of August, 2017.



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