



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

In the Matter of § AGREED ORDER
Registered Nurse License Number 831476 § FOR
issued to SOMER DAWN FISHER § KSTAR PILOT PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SOMER DAWN FISHER, Registered Nurse License Number 831476, 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 September 14, 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 professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Grayson County College, Denison, Texas on December 14, 2012. Respondent was licensed to practice professional nursing in the State of Texas on February 7, 2013.
5. Respondent's nursing employment history includes:

02/2013 - 12/2015	Registered Nurse	Texoma Medical Center Denison, Texas
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Respondent's nursing employment history continued:

06/2015 - 07/2016	Registered Nurse	Children's Medical Center Dallas, Texas
07/2016 - 04/2017	Registered Nurse	Children's Health Medical Center Plano, Texas
05/2017 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Children's Health Medical Center, Plano, Texas, and had been in that position for nine (9) months.
7. On or about April 2, 2017, while employed as a Registered Nurse with Children's Health Medical Center, Plano, Texas, Respondent failed to administer the correct dose of Morphine to Patient Medical Record Number 3958080. The physician ordered for the administration of 1.25mg of Morphine, and Respondent administered only 1mg of Morphine to the patient. Respondent's conduct was likely to injure the patient from non-efficacious treatment.
8. On or about April 2, 2017, while employed as a Registered Nurse with Children's Health Medical Center, Plano, Texas, Respondent failed to notify the physician when Patient Medical Record Number 4119564, who was placed on a 1 liter of supplemental oxygen, continued to be tachypnic, with coarse breath sounds and with labored breathing. The physician was notified by another nurse almost two (2) hours later, and the patient required additional oxygen. Respondent's conduct was likely to injure the patient from a delay in medical intervention and may have contributed to the patient's continued respiratory distress.
9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that Patient Medical Record Number 3958080 was ordered to be administered 1.25mg of Morphine by the physician and all but 1 mg of Morphine was wasted by Respondent and another nurse. Respondent states that the medication was scanned and 1mg was administered to the patient. Respondent states that she notified both the physician and Charge Nurse that only 1mg was administered to the patient. In regards to Patient Number 4119564, Respondent states that she assessed the patient to have coarse breath sounds and labored breathing and that these findings were reported to the physician and respiratory therapist. Respondent states that the patient was placed on high flow oxygen and that the physician was kept up to date regarding the patient's status.

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)&(1)(P) 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 831476, heretofore issued to SOMER DAWN FISHER.
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.

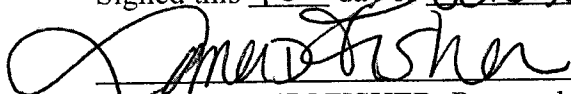
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RESPONDENT'S CERTIFICATION

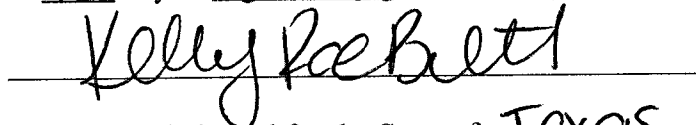
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said 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 16th day of October, 20 17.



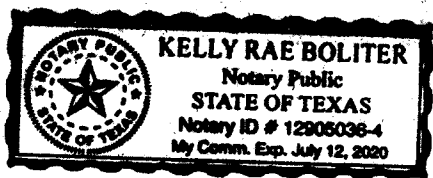
SOMER DAWN FISHER, Respondent

Sworn to and subscribed before me this 16th day of October, 20 17.



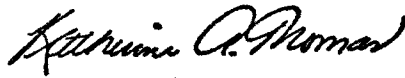
Notary Public in and for the State of Texas

SEAL



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 16th day of October, 2017, by SOMER DAWN FISHER, Registered Nurse License Number 831476, and said Order is final.

Effective this 14th day of November, 2017.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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