



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.
William O'Hanrahan
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 831323	§	
issued to MARINA NIKOLAYEVNA SOKOLOVA	§	ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that MARINA NIKOLAYEVNA SOKOLOVA, Registered Nurse License Number 831323, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(13) and 301.453, Texas Occupations Code.

An informal conference was conducted on March 24, 2015, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Nancy Roper Wilson RN, Attorney at Law.

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 Brookhaven College, Farmers Branch, Texas, on December 13, 2012. Respondent was licensed to practice professional nursing in the State of Texas on February 5, 2013.
5. Respondent's nursing employment history includes:

2/2013-5/2013		Unknown
6/2013 - 9/2013	Field Nurse	NYS Home Health Plano, Texas

Respondent's nursing employment history continued:

9/2013 - 5/2014	Private Duty Nurse	Additional Kare Home Health Allen, Texas
5/2014 - Present	Private Duty Nurse	PSA Healthcare Dallas, Texas

6. At the time of the incident, Respondent was employed as a Private Duty Nurse with PSA Healthcare, Dallas, Texas, and had been in that position for four (4) months.
7. On or about September 3, 2014, while employed as a Private Duty Nurse with PSA Healthcare, Dallas, Texas, and on duty at Olson Elementary School, Allen, Texas, caring for Student Number 254657, Respondent suctioned the student's tracheostomy tube using another student's suction catheter and machine. The other student had been diagnosed as positive for methicillin resistant Staphylococcus aureus (MRSA), and subsequently, the tracheostomy tube of Student Number 254657 also tested positive for MRSA. Respondent's conduct exposed the student unnecessarily to a risk of harm from infection.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that, without knowledge or intent, she suctioned the tracheostomy tube of Student Number 254657 with another student's suction catheter and machine, which had been placed on her student's stroller by someone else and which looked identical to her student's machine. Respondent states that she notified the student's mother as soon as she realized she used another student's equipment. Respondent told the student's mother that the other student, whose suction catheter and machine were used, had MRSA, which necessitated the mother to immediately seek medical attention and intervention by the Pediatrician. The Pediatrician cultured the tracheostomy tube of Student Number 254657 twice, and both tests resulted positive for MRSA.
9. On or about December 20, 2014, Respondent completed a course in Texas Nursing Jurisprudence and Ethics, which would have been a requirement of this Order.
10. On or about December 29, 2014, Respondent completed a course in Sharpening Critical Thinking Skills, which would have been a requirement of this Order.

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)(M),(1)(O)&(1)(P).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 831323, heretofore issued to MARINA NIKOLAYEVNA SOKOLOVA.
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. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed 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:** While employed with PSA Healthcare, Dallas, Texas, 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. **Should Respondent's employment with PSA Healthcare, Dallas, Texas, cease or change, the following terms shall apply:** RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed

Vocational Nurse, **who is on the premises.** The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- E. 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.

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.

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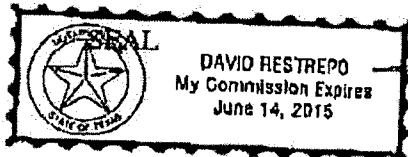
RESPONDENT'S CERTIFICATION

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 15 day of May, 2015.
M. Sokolova

MARINA NIKOLAYEVNA SOKOLOVA, Respondent

Sworn to and subscribed before me this 15th day of May, 2015.



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

Approved as to form and substance.

Nancy Roper Wilson

Nancy Roper Wilson, Attorney for Respondent

Signed this 15th day of May, 2015

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 15th day of May, 2015, by MARINA NIKOLAYEVNA SOKOLOVA, Registered Nurse License Number 831323, and said Order is final.

Effective this 16th day of June, 2015.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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