

Respondent's nursing employment history continued:

6/2015 - 8/2016	District Nurse	Trinity Basin Preparatory Dallas, Texas
6/2016 - Present	Summer Camp Nurse	Camp Scalico Elizaville, New York
8/2016 - Present	School Nurse	Lewisville Independent School District Lewisville, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Medical City McKinney, McKinney, Texas, and had been in that position for one (1) year and two (2) months.
7. On or about April 4, 2015, through April 5, 2015, while employed as a Registered Nurse with Medical City McKinney, McKinney, Texas, Respondent inaccurately documented the medical status for Patient Number Q00046636844. Respondent's nursing documentation was not accurate and was confusing and disjointed in that Respondent documented notifying one (1) physician twenty (20) minutes before a neuro event occurred and that the patient cannot speak and was unable to answer questions and follow commands. Additionally, Respondent failed to timely notify the neurosurgeon of the patient's deteriorating neurological condition. The patient continued to quickly deteriorate neurologically, and died. Respondent's conduct exposed the patient to risk of harm by not informing the physician of vital information that would be required to institute timely medical intervention to stabilize the patient's neurological status and condition.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the physician was notified several times during the night, that the neurosurgeon was notified of the patient's continuing neurological deterioration, and that the physician arrived and told the neurosurgeon to "stand down" because the patient was awake and following commands. The patient was transferred to the Intensive Care Unit (ICU) "around" 5:15 AM, which is one and a half hours after Respondent had contact with the patient. The Respondent admits that her nursing notes reflected in the patient's chart are disjointed, confusing and at times, and inaccurate, but Respondent denies she falsified documentation.

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),(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 850798, heretofore issued to MELISSA JEAN KOEHLER.
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. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

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, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, 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 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 13 day of July, 2018.

Melissa Jean Koehler
MELISSA JEAN KOEHLER, Respondent

Sworn to and subscribed before me this 13 day of July, 2018.

SEAL

JANET K. HIGGINS
Notary Public, State of New York
No. 01HI4283985
Qualified in Ulster County
Commission Expires Sept. 30, 2021

Janet K. Higgins

Notary Public in and for the State of New York

Approved as to form and substance.

Stephani R. Johnson
Stephani R. Johnson, Attorney for Respondent

Signed this 17 day of July, 2018.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 13th day of July, 2018, by MELISSA JEAN KOEHLER, Registered Nurse License Number 850798, and said Order is final.

Effective this 21st day of August, 2018.

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