BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse License Number 102404 issued to GLENDA LEE THETFORD \$ \$ \$ \$

AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considere the matter of GLENDA LEE THETFORD, Vocational Nurse License Number 102404, 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 Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 7, 2018.

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 Agreed Order.
- 3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
- 4. Respondent received a Certificate in Vocational Nursing from Hill County Memorial Hospital, Fredericksburg, Texas, on August 27, 1983. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983.
- 5. Respondent's nursing employment history includes:

11/1983 - 1985

Licensed Vocational

Nurse

KVAMC

Kerrville, Texas

Respondent's nursing employment history continued:

1986 – 1988	Director of Nursing	Leisure Lodge Junction, Texas
9/1990 – 9/1993	Charge Nurse	Bandera Nursing Home Bandera, Texas
9/1993 – 3/1996	Charge Nurse	Comfort Garden Home Comfort, Texas
3/1996 – 5/2000	Charge Nurse	Alpine Terrace Kerrville, Texas
6/2000 - 6/2018	Charge Nurse	Hill Country Care Center Junction, Texas
7/2018 – Present		Not Working as a Nurse

- 6. On or about June 1, 2011, Respondent was issued the sanction of Remedial Education, Deferred, through an Order of the Board. On or about June 9, 2016, Respondent successfully completed the terms of the Order. A copy of the June 1, 2011, Order is attached and incorporated herein by reference as part of this Agreed Order.
- 7. At the time of the incident in Finding of Fact Number Eight (8), Respondent was employed as a Charge Nurse with Hill Country Care Center, Junction, Texas, and had been in that position for eighteen (18) years.
- 8. On or about June 14, 2018, while employed as a Charge Nurse with Hill Country Care Center, Junction, Texas, Respondent failed to assess the airway of Resident HR to see if it was clear when she found him unresponsive after dinner, slumped over in bed with emesis coming out of his mouth. Instead, Respondent started chest compressions after assessing a thready/faint carotid/radial pulse, and shallow respirations; started oxygen at 3 liters/minute, and failed to direct staff to bring the crash cart and the Automated External Defibrillator (AED). Emergency Medical Services (EMS) arrived, found and removed a foreign object from the resident's throat, and transported him to the hospital where he died the next day. Respondent's conduct was likely to injure the resident from lack of appropriate nursing care, including possible demise.

- 2. -

- 9. In response to the incident in Finding of Fact Number Eight (8), Respondent states that she was working extra shifts as an LVN was fired in April, and not replaced. Respondent indicates that she did start chest compressions when she found the resident had a thready faint pulse, and told the certified nurse assistant (CNA) to bring the oxygen concentrator, and call 911. Respondent relates that she raised the resident's head after stopping compressions for a moment to see if anything else would come out of his mouth. Respondent explains that EMS arrived within 4 minutes, chest compressions continued, intravenous (IV) fluids were started, the emergency medical technician (EMT) scoped the resident, and a crumpled package of saltine crackers was removed from his airway. Respondent indicates that her judgement of the situation was lacking, and that she would never intentionally cause harm or withhold procedures to a patient. Respondent explains that she wishes to surrender her LVN license; doesn't intend to work as an LVN again, and is now retired.
- 10. Respondent by her signature expresses her desire to voluntary surrender her license.

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)&(2)(A) 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 Vocational Nurse License Number 102404, heretofore issued to GLENDA LEE THETFORD.
- 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

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 102404 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

- 1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
- 2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
- 3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this 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 this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and 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) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

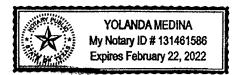
Signed this 28st day of September, 2018.

GVENDA LEE THETFORD Respondent

Sworn to and subscribed before me this 28th day of September, 20 18.

SEAL

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 28th day of September, 2018, by GLENDA LEE THETFORD, Vocational Nurse License Number 102404, and said Agreed Order is final.

Effective this 28th day of September, 2018.

Katherine A. Thomas, MN, RN, FAAN

Executive Director on behalf

of said Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse

AGREED ORDER

License Number 102404

FOR

issued to GLENDA LEE THETFORD

DEFERRED DISCIPLINE

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of GLENDA LEE THETFORD, Vocational Nurse License Number 102404, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 29, 2011, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

- Prior to the institution of Agency proceedings, notice of the matters specified below in these 1. 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).
- Respondent waived representation by counsel, informal proceedings, notice and hearing, and 2. agreed to the entry of this Order.
- Respondent is currently licensed to practice vocational nursing in the State of Texas. 3.
- Respondent received a Certificate in Vocational Nursing from Hill Country Hospital School 4. of Vocational Nursing, Fredericksburg, Texas, on August 27, 1983. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983.
- Respondent's vocational nursing employment history includes: 5.

11/83 - 4/87	Staff Nurse	Kerrville Veterans Administration Medical Center Kerrville, Texas
5/87 - 3/88	Staff Nurse Nursing Home	Leisure Lodge Junction, Texas

Respondent's vocational nursing employment history continued:

4/88 - 10/89	Staff Nurse	Kerrville State School Kerrville, Texas
11/89 - 3/92	Charge Nurse Nursing Home	Purple Hills Manor, Inc. Bandera, Texas
4/92 - 9/96	Charge Nurse Nursing Home	Comfort Garden Home Comfort, Texas
10/96 - 6/00	Charge Nurse Nursing Home	Alpine Terrace Kerrville, Texas
7/00 - 3/03	Staff Nurse	Hill Country Care Center Junction, Texas
4/03 - Present	Charge Nurse	Hill Country Care Center Junction, Texas

- 6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Charge Nurse with Hill Country Care Center, Junction, Texas, and had been in this position for six (6) years and one (1) month.
- 7. On or about May 24, 2009 and May 26, 2009, while employed as a Charge Nurse with Hill Country Care Center, Junction, Texas, Respondent administered Novolin R Insulin in excess of the physician's order to Resident E.R. According to the physician's order dated May 23, 2009, Resident E.R. was to receive five (5) units of Novolin R Insulin for blood glucose readings of 151 200. On May 24, 2009, Respondent documents that the resident's blood glucose reading was 183 and on May 26, 2009, the blood glucose reading was 153. Instead of reviewing the original physician's order, Respondent administered fifty (50) units of Novolin R Insulin on both occasions instead of five (5) units each time, as ordered. On May 26, 2009, Resident E.R. was transferred to an acute care facility with a blood glucose reading of thirty-seven (37) (normal range being 80 120) as a result of the excessive amount of Insulin being administered. Respondent's conduct exposed the resident unnecessarily to a risk of harm in that the resident suffered a hypoglycemic reaction which could have progressed to reduced pulmonary function.
- 8. In response to the incident in Finding of Fact Number Seven (7), Respondent admits to giving 50 units of Novolin R Insulin to Resident E.R. Respondent states that she referred to the Medication Administration Record (MAR) for the dose and read the dose as 50 units. Respondent explains that she thought that seemed like a "large dose" but did not refer to the original order. Respondent goes on to explain that the order was transcribed on the MAR as "5u" and that the word "units" was not written out. Respondent asserts that she immediately contacted the physician when the error was brought to her attention by Texas Department of Aging and Disabilities Services Nurse Surveyor who was supervising her at the time of the incident.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 Tex. ADMIN. CODE §§217.11(1)(A),(1)(C),(1)(M)&(2)(A) and 217.12(1)(A)&(4).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 102404, heretofore issued to GLENDA LEE THETFORD, including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION,
DEFERRED, and RESPONDENT SHALL 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.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

TT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL not commit any violation of 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. for a period of five (5) years from the date of this Order.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. Board-approved courses may be following Board website address: thefoundhttp://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.

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(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. Board-approved courses may be found at the following Board website address: http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. Information regarding this workshop may be found at the following web address: http://learningext.com/hives/a0f6f3e8a0/summary.

IT IS FURTHER AGREED and ORDERED that should an additional allegation, complaint, accusation, or petition be reported or filed against Respondent prior to the completion of this Order, the deferral period shall be extended until the allegation, accusation, or petition has been finally acted upon by the Board.

IT IS FURTHER AGREED that should RESPONDENT commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, including the successful completion of the required period of deferral, the complaint or complaints which formed the basis for this action will be dismissed and this Order will be made confidential to the same extent as a complaint filed under Section 301.466, Texas Occupations Code. Further, all encumbrances will be removed from Respondent's license(s) to practice nursing in the State of Texas, and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

IT IS FURTHER AGREED that until such time that this Order is made confidential, this Order is subject to disclosure in accordance with applicable law.

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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 violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, the Board may stay the dismissal of the complaint filed against me, and that I will be subject to investigation and possible disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 26 day of MAY, 2011.

Sworn to and subscribed before me this 26 day of May

Notary Public in and for the State of July 1

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order for Deferred Discipline that was signed on the <u>26th</u> day of <u>May</u>, 2011, by GLENDA LEE THETFORD, Vocational Nurse License Number 102404, and said Order is final.

Effective this <u>1st</u> day of <u>June</u>, 2011.

Katherine A. Thomas, MN, RN

Executive Director on behalf

of said Board