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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
MINHAS SHUKAT LADIWALA,	§	FOR
Registered Nurse License Number 852875	§	KSTAR PROGRAM &
& PETITIONER for Eligibility for Licensure	§	ELIGIBILITY

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of Registered Nurse License Number 852875 and the Application for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority, hereinafter referred to as the Petition, which has been processed as a Petition for Declaratory Order pursuant to 22 Tex. Admin. Code §217.5(f) and §213.30, and supporting documents filed by MINHAS SHUKAT LADIWALA, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be subject to discipline and ineligible for licensure pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code. Petitioner waived notice and hearing and agreed to the entry of this Agreed Order for KSTAR Program & Eligibility approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 12, 2018.

FINDINGS OF FACT

1. On or about July 25, 2018, Petitioner submitted the Petition requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.257, and 301.260, Texas Occupations Code, and the Board's Rules at 22 Tex. Admin. Code §217.5(f) and §213.30.
2. Petitioner received a Baccalaureate Degree in Nursing from The University of Texas, Arlington, Texas, on December 1, 2013. Petitioner was licensed to practice professional nursing in the State of Texas on March 6, 2014. Petitioner indicates she received a Master's Degree in Nursing from Texas A&M University, Corpus Christi, Texas, on May 12, 2018.

3. Petitioner's license to practice as a professional nurse in the State of Texas is in current status.
4. Petitioner waived notice and hearing, and agreed to the entry of this Agreed Order for KSTAR Program & Eligibility.
5. Petitioner's nursing employment history includes:

03/2014 – 06/2017	RN	Houston Methodist Hospital Sugarland, Texas
02/2017 – Present	RN	Health Trust Houston, Texas

6. At the time of the initial incident Petitioner was employed as a registered nurse with Houston Methodist Hospital, Sugar Land, Texas, and had been in this position for approximately one (1) year and five (5) months.
7. On or about August 13, 2015, while employed as a Staff Nurse with Houston Methodist Hospital, Sugar Land, Texas, Petitioner failed to perform a pulmonary assessment on Patient 031293715 and documented vital sign findings performed by the respiratory therapist. Petitioner's conduct exposed the patient to the risk of harm in that significant changes in the patient's status may have gone undetected and prevented a timely intervention.
8. On or about April 13, 2016, while employed as a Staff Nurse with Houston Methodist Hospital, Sugar Land, Texas, Petitioner failed to implement telemetry orders by the physician for Patient 037321346. Petitioner's conduct exposed the patient to risk of harm in that lack of information from the monitoring equipment could have deprived the physician of the opportunity to institute timely medical interventions.
9. On or about April 13, 2016, while employed as a Staff Nurse with Houston Methodist Hospital, Sugar Land, Texas, Petitioner mislabeled three (3) blood specimen tubes for Patient 022109318. Petitioner's conduct could have resulted in unnecessary risk of harm to the patient who may have required additional treatments or test.
10. On or about September 12, 2016, while employed as a Staff Nurse with Houston Methodist Hospital, Sugar Land, Texas, Petitioner sent an unlabeled blood specimen tube to the laboratory for Patient OT. Petitioner's conduct could have resulted in unnecessary risk of harm to the patient who may have required additional treatments or test.

11. On or about February 8, 2017, while employed as a Staff Nurse with Houston Methodist Hospital, Sugar Land, Texas, Petitioner failed to assess and properly care for the site of the femoral line of Patient 024960601. This patient was found with a partially-covered femoral line. Petitioner's conduct exposed the patient unnecessarily to a risk of harm from an increased chance of infection and bleeding without a sterile occlusive dressing.
12. On or about February 14, 2017, while employed as a Staff Nurse with Houston Methodist Hospital, Sugar Land, Texas, Petitioner failed to send a bag of blood specimen tubes for Patient 018591719 to the lab, leaving the bag inside the pneumatic tube station. Petitioner's conduct placed the patient at risk of harm from a delay in lab results, which could have delayed timely medical interventions.
13. In response to Findings of Fact Numbers Seven (7) through Twelve (12), Petitioner states that he assessed Patient 031293715 but, when it came to her lungs, he had a disposable stethoscope and felt that his equipment was not adequate for getting a thorough assessment of the patient's lungs, so he asked the respiratory therapist (RT) to give him the assessment results. At the time of the incident, Petitioner states that he felt this was the safest and most ethical practice. In response to Finding of Fact Number Eight (8), Petitioner states that he did see the order for Telemetry, but assumed the patient was connected to the telemetry monitor since the order had been written prior to his shift. Also, Petitioner states he accidentally documented normal sinus heart rhythm because he had not received any heart monitoring strip to indicate otherwise and that he used the previous shift documentation as a reference to make sure nothing was different. In response to Finding of Fact Number Nine (9), Petitioner states that the patient was in pain, uncooperative, refusing to take her hand from beneath the blanket in order for him to check her ID band, and wasn't willing to communicate verbally. In response to Finding of Fact Number Ten (10), Petitioner states that he drew an extra tube of blood, and became distracted by another work task which caused him to deviate from his normal practice and prevented him from adding the patient label to the blood specimen. In response to Finding of Fact Number Eleven (11), Petitioner states that he did not leave the patient's central line dressing un-intact and that he clearly visualized the site of the patient's central line dressing which was brand new, clean, dry, and intact. Petitioner states that the patient being obese and the location of the dressing may have caused the dressing to become loose. In response to Finding of Fact Number Twelve (12), Petitioner states the bag with the specimen(s) was left at the Pneumo-vac (tube station) because that was common practice by staff on the unit when there weren't pneumatic tubes available from the lab. The bag with the blood specimen(s) was left in plain sight for someone to see and send to the lab when a tube was available.
14. Licensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
15. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.

16. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
17. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. On or about July 25, 2018, Petitioner submitted the Petition requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.257, and 301.260, Texas Occupations Code, and the Board's Rules at 22 Tex. Admin. Code §217.5(f) and §213.30.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D)&(3)(A)(i)-(v) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B), (1)(C)&(4).
4. Petitioner's history reflects conduct which may constitute grounds for discipline and denial of a license under Section 301.452(b)(10)&(13), Texas Occupations Code.
5. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
6. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).
7. 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.

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TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that PETITIONER SHALL receive the sanction of **WARNING WITH STIPULATIONS** in accordance with the terms of this Order.

- A. This Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- B. As a result of this Order, PETITIONER'S license(s) will be designated "single state" and PETITIONER 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, PETITIONER agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order for KSTAR Program & Eligibility.

III. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PROGRAM

IT IS AGREED and ORDERED that PETITIONER SHALL, **within one (1) year of the effective date of this Order**, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Program and PETITIONER SHALL:

- A. **Within forty-five (45) days** following the effective date of this Order, apply to and enroll in the KSTAR Program, including payment of any fees and costs, unless otherwise agreed in writing;
- B. Submit to an individualized assessment designed to evaluate PETITIONER'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 Program; and
- E. Provide written documentation of successful completion of the KSTAR Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD PETITIONER'S individualized KSTAR 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 PETITIONER'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 Agreed Order for KSTAR Program & Eligibility, all encumbrances will be removed from PETITIONER'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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

VI. APPLICATION FOR ADVANCED PRACTICE REGISTERED NURSE LICENSURE AND PRESCRIPTIVE AUTHORITY

The petition for licensure as an Advanced Practice Registered Nurse and Prescriptive Authority is **CONDITIONALLY GRANTED** based upon **successful completion of all requirements of this ORDER** and payment of the required fees and meeting all other applicable requirements. **At such time**, PETITIONER SHALL be issued

the applicable license to practice as an Advanced Practice Registered Nurse (APRN) in the State of Texas.

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PETITIONER'S CERTIFICATION

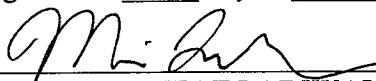
I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application/petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 et seq., Texas Occupations Code, and 22 Tex. Admin. Code §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

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 REVOCATION of my license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation by counsel, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

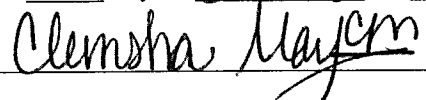
Signed this 13 day of December, 2018.



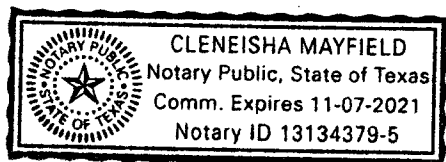
MINHAS SHUKAT LADIWALA, PETITIONER

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

SEAL



Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program & Eligibility that was signed on the 13th day of December, 2018, by MINHAS SHUKAT LADIWALA, Registered Nurse License Number 852875 and PETITIONER for Eligibility for Licensure, and said Agreed Order for KSTAR Program & Eligibility is final.

Effective this 24th day of January, 2019.



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