



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.
April Marie O'Rourke
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 579515 issued to § AGREED ORDER
DIANE WILMA GRANT §

An investigation by the Board produced evidence indicating that DIANE WILMA GRANT, hereinafter referred to as Respondent, may have violated Article 4525(b)(9), Revised Civil Statutes of Texas, as amended.

An informal conference was held on September 23, 1997, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, Executive Director; William Hopkins, General Counsel; Anthony L. Diggs, Director of Investigations; and Gary Walters, RN, Senior Investigator.

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.
2. Respondent waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in Texas.
4. Respondent received a nursing diploma from Moline Public Hospital School of Nursing, Moline, Illinois, in June 1990. She was licensed as a Registered Nurse in Texas on May 5, 1992.

5. Respondent's professional employment history includes:

July 1990 - November 1990	United Medical Center Moline, Illinois -Staff Nurse on Medical Unit
January 7, 1991 - June 1991	St. Luke's Hospital Jacksonville, Florida -Staff Nurse on Medical Unit
July 1, 1991 - April 1992	University Community Hospital Tampa, Florida -Staff Nurse
April 10, 1992 - December 9, 1996	Irving Healthcare System Irving, Texas
April 1992 - April 1996	-Staff Nurse on Medical/Surgical Unit
April 1996 - December 1996	-Staff Nurse in Post Anesthesia Care Unit
January 1997 - present	Columbia Medical Arts Hospital Dallas, Texas -Staff Nurse on Surgical Unit

6. At the time of the incident, Respondent was employed with Irving Healthcare System, Irving, Texas, as a Staff Nurse. She had been employed with this facility for approximately four (4) years and seven (7) months.
7. On or about November 29, 1996, while employed with Irving Healthcare System, Irving, Texas, Respondent instructed a Patient Care Assistant to connect a contaminated epidural line to the primary intravenous line of Patient # 049063. Respondent had not assessed the patient nor did she know the origin of the tubing and needle when she gave this instruction. Respondent's inappropriate delegation of this nursing function was likely to expose the patient to inadequate health care by unlicensed personnel, the risk of receiving a medication by an unprescribed route and the risk of infection from the introduction of a contaminated line into a sterile intravenous system.
8. Respondent is currently enrolled in home study continuing education programs relating to Stress Management, Pain Management and Medication Errors.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, 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 Article 4525(b)(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(9).
4. The evidence received is sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 579515, heretofore issued to DIANE WILMA GRANT.

AGREED SANCTIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a Warning with Stipulations, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and this Order.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to DIANE WILMA GRANT, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content should include the Nursing Practice Act, standards of practice, and documentation of care. 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 is to be taken in addition to any continuing education requirements the Board may have for relicensure.

IT IS FURTHER AGREED, SHOULD RESPONDENT CHOOSE TO PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING, UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT:

(3) RESPONDENT SHALL notify each present employer in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this Order to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all potential employers in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this Order to each potential employer prior to accepting an offer of employment.

(4) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each potential employer to submit the Notification of Employment form to the Board's office within five (5) days of employment as a professional nurse.

(5) RESPONDENT SHALL CAUSE each employer to submit, on forms provided by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted to the office of the Board at the end of each three (3) months for one (1) year of employment as a professional nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license to practice professional 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 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 and consent to the issuance of the Agreed Order, the Agreed Sanctions, and any condition stated in this 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.

Signed this 14 day of Nov, 19 97

Wilma
Diane Grant
DIANE WILMA GRANT

Sworn to and subscribed before me this 14 day of Nov, 19 97.


SEAL



Mary Gales
Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners
for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the
14th day of November, 1997, by DIANE WILMA GRANT , license number
579515, and said Order is final.

Effective this 22nd day of January, 19 98.


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