



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 911554 §
issued to FRANKLINA GYAMFUA ASABERE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of FRANKLINA GYAMFUA ASABERE, Registered Nurse License Number 911554, 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)(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 25, 2019.

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 a Baccalaureate Degree from Trinity Washington University, Washington, D.C. on December 1, 2013. Respondent was licensed to practice professional nursing in the State of Texas on November 16, 2016.
5. Respondent's nursing employment history includes:

05/2014 - 9/2016	RN	Ashley Ponds
		Ashburn, Virginia

Respondent's nursing employment history continued:

09/2016 - Present	RN	Prestonwood Rehabilitation and Nursing Center Plano, Texas
12/2016 - 06/2017	RN	Southwest Correctional Medical Group McKinney, Texas
07/2017 - 12/2018	RN	Sundance Hospital Garland, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Southwest Correctional Medical Group, McKinney Texas, and had been in that position for six (6) months.
7. On or about May 21, 2017, while employed as a Registered Nurse with Southwest Correctional Medical Group, McKinney, Texas, and assigned to the Collin County Detention Center, McKinney, Texas, Respondent failed to complete a restraint check for inmate SO#342985 every fifteen (15) minutes as required by the facility's policy and procedures for restraints and/or inaccurately documented in the medical record of inmate SO#342985, that she had completed every required restraint check. Respondent's conduct exposed the patient to a risk of harm from potentially adverse complications of undetected changes in circulation of the restrained limbs and created an inaccurate medical record.
8. In response to Findings of Fact Number Seven (7), Respondent states that it was a very busy shift on the date of the allegation. Respondent states she expressed her concerns prior to, and on that shift, that the facility was inadequately staffed. Respondent states there were several emergencies at the facility the night of the allegation. Respondent states that she made restraint checks every fifteen (15) minutes to the best of her ability given conditions on the unit and that she intended to document accurately.
9. Respondent completed a course in Texas Nursing Jurisprudence and Ethics, on September 18, 2018, which would have been a stipulation of this order.
10. Respondent completed a course in "Sharpening Critical Thinking Skills," on August 28, 2018, which would have been a stipulation of this order.
11. Respondent completed a course in Nursing Documentation on March 5, 2019, which would have been a stipulation 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)(D)&(1)(M).
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 911554, heretofore issued to FRANKLINA GYAMFUA ASABERE.
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. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical 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. 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. Exception for Respondent's Current Position** at Prestonwood Rehabilitation and Nursing Center, Plano, Texas. While under the terms of this Order, RESPONDENT may continue working at her current position with Prestonwood Rehabilitation and Nursing Center, Plano, Texas. While working at Prestonwood Rehabilitation and Nursing Center, Plano, Texas, RESPONDENT SHALL CAUSE her 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. Should RESPONDENT's position with Prestonwood Rehabilitation and Nursing Center, Plano, Texas cease or change for any reason, RESPONDENT must comply with the remaining requirements of this Order, including paragraph D. Respondent may not have multiple employers while subject to the terms of this paragraph.
- D. Indirect Supervision:** 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 individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual 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.

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.

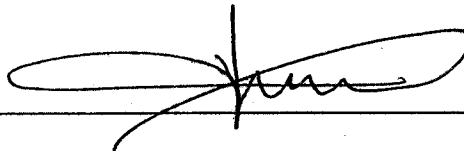
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RESPONDENT'S CERTIFICATION

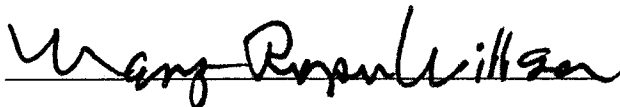
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 25th day of March, 2019.



FRANKLINA GYAMFUA ASABERE, Respondent

Approved as to form and ~~substance~~ substance.



Nancy Roper Willson, Attorney for Respondent

Signed this 25th day of March, 2019

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 25th day of March, 2019, by FRANKLINA GYAMFUA ASABERE, Registered Nurse License Number 911554, and said Order is final.

Effective this 25th day of April, 2019.

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