



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
Registered Nurse License Number 854727
issued to KIA KRISTELL MALVEAUX

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AGREED ORDER
FOR
KSTAR PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KIA KRISTELL MALVEAUX, Registered Nurse License Number 854727, 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 for KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on April 15, 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 Agreed Order for KSTAR Program.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Tarrant County Junior College, Fort Worth, Texas, on December 1, 2013. Respondent was licensed to practice professional nursing in the State of Texas on April 29, 2014.
5. Respondent's professional nursing employment history includes:

05/14 – 07/15	PRN RN	Baylor Surgicare Fort Worth, Texas
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Respondent's professional nursing employment history continued:

07/15 – 12/15	ICU RN	Kindred Hospital Fort Worth, Texas
12/15 – 07/17	RN	Baylor Scott & White All Saints Medical Center Fort Worth, Texas
07/17 – 04/18	RN	Texas Health Southwest Fort Worth Fort Worth, Texas
04/18 – Present	RN	Epic Pediatric Home Health Care Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse (RN) with Texas Health Southwest Fort Worth, Fort Worth, Texas, and had been in that position for two (2) months.
7. On or about September 15, 2017, and September 16, 2017, while employed as a Registered Nurse (RN) with Texas Health Southwest Fort Worth, Fort Worth, Texas, Respondent failed to administer Total Parenteral Nutrition (TPN) to Patient Number 000146103 at 2000, as scheduled and as ordered by the physician. As a result, the patient's lab values were unreliable because the lab draw was performed after the TPN was initiated. Respondent's conduct unnecessarily exposed the patient to a risk of harm from complications resulting from medical decisions based on invalid lab results.
8. On or about January 25, 2018, through January 26, 2018, while employed as a Registered Nurse (RN) with Texas Health Southwest Fort Worth, Fort Worth, Texas, Respondent failed to administer a continuous infusion of Normal Saline to Patient Number 000104870, as ordered by the physician. Respondent's conduct was likely to injure the patient from non-efficacious treatment.
9. On or about February 9, 2018, while employed as a Registered Nurse (RN) with Texas Health Southwest Fort Worth, Fort Worth, Texas, Respondent failed to recheck the blood glucose level of Patient Number 000239602 after obtaining a level of 55 mg/dL and administering 12.5g of D50W (dextrose 50% in water). The facility's protocol for hypoglycemia management states that the blood glucose level should be rechecked fifteen minutes post intervention. Respondent's conduct unnecessarily exposed the patient to a risk of harm from complications associated with unresolved hypoglycemia.

10. On or about February 23, 2018, through February 24, 2018, while employed as a Registered Nurse (RN) with Texas Health Southwest Fort Worth, Fort Worth, Texas, Respondent failed to check the blood glucose level of Patient Number 000084792, after the patient had returned from a procedure, from 2330 to 0509. As a result, the patient had a blood glucose level of 546mg/dL at 0509 and the patient was diagnosed with diabetic ketoacidosis (DKA). Respondent's conduct may have contributed to the patient's subsequent diagnosis of DKA.
11. In response to Findings of Fact Numbers Seven (7) through Ten (10), regarding Patient Number 000146103, Respondent states she was in orientation at this time and was instructed to pause TPN for 15 minutes, flush the central line until it's clear prior to the lab draws, then resume TPN. Respondent states that over time, since the start of the TPN infusion, the bags were completed later than expected because of the time they were paused for flushing and blood draws. Regarding Patient Number 000104870, Respondent states she gave the normal saline to the patient. Regarding Patient Number 000239602, Respondent states that she asked the lab technicians who were on the unit to check the patient's blood glucose. Respondent states that the redraw went about 15 minutes outside the window period because it was included in the regular lab draw. Regarding Patient Number 000084792, Respondent states that at around 2330, she went into the patient's room and asked her how she was feeling. Respondent states the patient told her she was sleepy and just wanted to sleep. Respondent states she continued to check on the patient throughout her shift and noticed the patient was lethargic. Respondent states that she later checked the patient's blood sugar and it was elevated. Respondent states she was having trouble with the glucometer and asked the tech to help her find another one. Respondent states she received a high reading with the second glucometer as well. Respondent states that the lab technician came into the room and drew lab work, and the lab later called and said her lab results were in excess of 200 points different than what the glucometer readings were.
12. Formal Charges were filed on February 1, 2019.

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)(M) 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 Registered Nurse License Number 854727, heretofore issued to KIA KRISTELL MALVEAUX.
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 Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order for KSTAR Program.

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

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

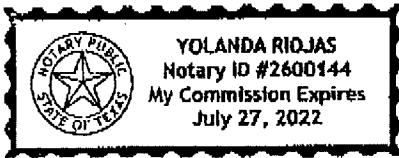
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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 13TH day of MAY, 2019.

Kia Kristell Malveaux
KIA KRISTELL MALVEAUX, Respondent

Sworn to and subscribed before me this 13TH day of MAY, 2019.

SEAL



Yolanda Riojas
Notary Public in and for the State of TEXAS

Approved as to form and substance:

Yong J. An
Yong J. An, Attorney for Respondent

Signed this _____ day of _____, 2019 05/14/2019

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program that was signed on the 13th day of May, 2019, by KIA KRISTELL MALVEAUX, Registered Nurse License Number 854727, and said Agreed Order for KSTAR Program is final.

Effective this 11th day of June, 2019.



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