



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 BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 593475 § AGREED
issued to DANA LEE BAKER § ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that DANA LEE BAKER, License Number 593475, hereinafter referred to as Respondent, may have violated Section 301.452 (b)(13), Texas Occupations Code.

An informal conference was held on June 26, 2001, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, Texas Occupations Code.

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; Phong Phan, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Rebecca Turner, Investigator; and Kathy Metzger, BSN, RN, 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 the State of Texas.
4. Respondent received an Associate Degree in Nursing from Houston Community College, Houston, Texas, in 1993. Respondent was licensed to practice professional nursing in the State of Texas on September 22, 1993.

5. Respondent's professional employment history includes:

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| May 1993-July 1994 | Staff Nurse
Labor and Delivery
Hermann Hospital
Houston, Texas |
| July 1994- October 1996 | Staff Nurse
Nursery Unit
Kingwood Plaza Hospital
Kingwood, Texas |
| July 1996- November 1998 | Staff Nurse
Nursery Unit
Cleveland Regional Medical Center
Cleveland, Texas |
| October 1997-September 2000 | Charge Nurse/Transport Nurse
Neonatal Intensive Care Unit
Columbia Kingwood Medical Center
Kingwood, Texas |
| September 2000- December 2000 | Travel Nurse through Travel Nurse International
Neonatal Intensive Care Unit
Packard Children's Hospital
Palo Alto, California |
| December 2000- Present | Staff Nurse
Labor and Delivery, Nursery and Post Partum Units
Cleveland Regional Medical Center
Cleveland, Texas |

7. At the time of the incident, Respondent was employed as a Registered Nurse in the Neonatal Intensive Care Unit of Columbia Kingwood Medical Center, Kingwood, Texas, and had been in this position for two (2) years and eleven (11) months.

8. On or about February 20, 2000, while employed with Columbia Kingwood Medical Center, Kingwood, Texas, Respondent failed to administer dopamine as ordered by the physician for Medical Record #CD00140236, a thirty-six (36) week neonate who was admitted to the Neonatal Intensive Care Unit (NICU) for respiratory distress, low urine output, and low blood pressure. The dopamine was to be administered through the umbilical venous catheter (uvc). The Respondent infused the medication through the umbilical artery catheter (uac). Respondent's action unnecessarily exposed the neonate to the risk of harm from the potential damage to the intestinal, renal, and lower limb arteries.

9. On or about August 12, 2000, while employed with Columbia Kingwood Medical Center, Kingwood, Texas, Respondent failed to administer a Recombivax HB vaccine as ordered by the Neonatal Nurse Practitioner for Medical Record # CD00148189, a thirty-five (35) week neonate whose mother's hepatitis status was unknown at the time of birth. Respondent was unable to locate the Recombivax HB vaccine on the unit. The baby received the vaccination approximately fifteen (15) hours after birth. Respondent's action of failing to administer the vaccine unnecessarily exposed the neonate to the risk of harm from a potential infection of the hepatitis B virus.

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)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(3).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 593475, heretofore issued to DANA LEE BAKER, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of Remedial Education and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *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 AND ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice professional nursing in the State of Texas.

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

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to DANA LEE BAKER 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 shall include Registered Nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall 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 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.

(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. Home study courses and video programs will not be approved. In

order for the course to be approved, the target audience shall include Registered 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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate privileges, if any, 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.

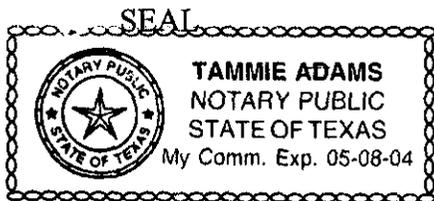
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30th day of August, 2001.

Dana Lee Baker, Respondent

DANA LEE BAKER, RESPONDENT

Sworn to and subscribed before me this 30th day of August, 2001.



Jamie Adams

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 30th day of August, 2001, by DANA LEE BAKER, License Number 593475, and said Order is final.

Effective this 5th day of September, 2001.



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