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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Registered Nurse License Number 768825
& Vocational Nurse License Number 196232
issued to KRISTY GAIL NELSON

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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 KRISTY GAIL NELSON, Registered Nurse License Number 768825, and Vocational Nurse License Number 196232, 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 May 8, 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 vocational nurse in the State of Texas is in delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Victoria College, Hallettsville, Texas, on August 13, 2004. Respondent received an Associate Degree in Nursing from Victoria College, Victoria, Texas, on May 15, 2009. Respondent was licensed to practice vocational nursing in the State of Texas on November 2, 2004. Respondent was licensed to practice professional nursing in the State of Texas on June 4, 2009.

5. Respondent's nursing employment history includes:

11/2004 - 2007	Charge Nurse	Schulenburg Regency Schulenburg, Texas
2007 - 2009	LVN	TLC Nursing Agency Victoria, Texas
2009 – 2013	Registered Nurse	Columbus Community Hospital Columbus, Texas
2013 – 2015	Field Nurse	Girling Home Health Schulenburg, Texas
4/2015 – Present	Registered Nurse	Columbus Community Hospital Columbus, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Columbus Community Hospital, and had been in that position for three (3) years and eight (8) months.
7. On or about December 1, 2018, while employed as a Registered Nurse with Columbus Community Hospital, Columbus, Texas, and assigned to the Emergency Department, Respondent failed to accurately document the below-normal rectal temperature of 96.9 degrees for infant Patient Medical Record Number (MRN) 138533 in the electronic medical record; instead, Respondent inaccurately documented a normal rectal temperature of 98.3 degrees. Additionally, Respondent did not recheck the rectal temperature to ensure it was in the normal range after warming the aforementioned patient with blankets and/or upon discharge. Respondent's conduct created an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care decisions.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states the low-normal rectal temperature of 96.9 degrees was obtained and reported to the physician. Respondent also states the patient was in the emergency department for approximately thirty-nine (39) minutes. Respondent further states it was not regular practice within the unit to retake vital signs of patients discharged in under sixty (60) minutes if vital signs were within normal parameters upon admission.

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)&(3)(A) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B)&(1)(C).
4. The evidence received is sufficient cause pursuant to 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 768825, and Vocational Nurse License Number 196232, heretofore issued to KRISTY GAIL NELSON.
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.

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.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. 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.

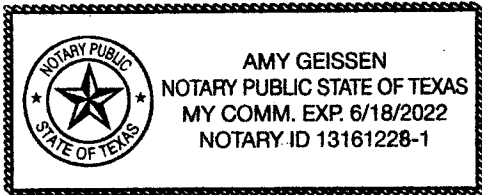
Signed this 13th day of June, 2019.

Kristy Gail Nelson
KRISTY GAIL NELSON, Respondent BSMRW

Sworn to and subscribed before me this 13th day of June, 2019.

SEAL

Amy Geissen
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 that was signed on the 13th day of June, 2019, by KRISTY GAIL NELSON, Registered Nurse License Number 768825, and Vocational Nurse License Number 196232, and said Agreed Order for KSTAR Program is final.

Effective this 25th day of July, 2019.



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