

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.

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 618302 §
issued to THERESA RICKS LAMBERT §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of THERESA RICKS LAMBERT, Registered Nurse License Number 618302, 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 approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on June 21, 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.
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 Abilene Intercollegiate, Abilene, Texas, on May 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas on June 27, 1995.
5. Respondent's nursing employment history includes:

06/1995 – 01/2001	RN	Hendrix Medical Center Abilene, Texas
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Respondent's nursing employment history continued:

01/2001 – 02/2002	RN	Shannon Medical Center San Angelo, Texas
02/2002 – 05/2010	RN	San Angelo Community Hospital – San Angelo, Texas
05/2010 – 02/2011	RN	Christus Santa Rosa New Braunfels, Texas
02/2011 – 09/2011	RN	Nurse Choice Travel Agency San Diego, California
10/2011 – 04/2019	RN	Methodist Boerne Emergency Center – Boerne, Texas
05/2019 – Present	Unknown	

6. On or about May 5, 2014, Respondent was issued the sanction of Remedial Education with Fine through an Order of the Board. On or about September 19, 2014, Respondent successfully completed the terms of the Order. A copy of the May 5, 2014, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the initial incident, Respondent was employed as a Registered Nurse with Methodist Boerne Emergency Center, Boerne, Texas, and had been in that position for approximately seven (7) years and six (6) months.
8. On or about April 14, 2019, while employed as a Registered Nurse with Methodist Boerne Emergency Center, Boerne, Texas, Respondent verbally and physically abused Patient S. C. in that she slapped the patient's face and feet multiple times; pulled patient's head back by her pony tail; and made derogatory remarks to the patient about her physical state and appearance. Respondent's conduct was likely to cause emotional, physical, and/or psychological harm to the patient and could have interfered or disrupted this patient's treatment.
9. In response to Finding of Fact Number Eight (8), Respondent states the patient arrived to the Emergency Room unresponsive and covered in vomit. Upon removing her from the vehicle, per protocol, she did a sternal rub and patted her face to try and arouse her, to which she did not respond. Respondent states the patient kept falling forward in the wheelchair, and in order to keep her from falling out of the chair, she held her up by the back of her shirt. Once in the patient room, Respondent stated she told the staff she was putting on a paper gown and gloves so she did not get vomit all over her scrubs. When the physician came in and asked about the patient, Respondent stated she told him that they

did not know much other than her name, 18 years old, intoxicated, unresponsive and looks like she may have had a child because of her stretch marks.

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) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(C) &(6)(F).
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 618302, heretofore issued to THERESA RICKS LAMBERT.
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 **REPRIMAND 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.

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. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft, and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study and video programs will not be approved.

- B. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

V. **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 eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) 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. **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 of 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.
- D. **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 eight (8) quarters [two (2) years] of employment as a nurse.

VI. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

VII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed 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.

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.

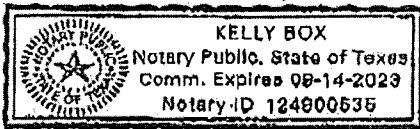
Signed this 24 day of Sept, 2019

[Handwritten Signature]
THERESA RICKS LAMBERT, RESPONDENT

Sworn to and subscribed before me this 24 day of Sept, 2019

SEAL

[Handwritten Signature]
Notary Public in and for the State of Texas



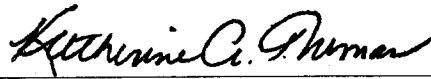
Approved as to form and substance.

[Handwritten Signature]
John W. McChristian, Jr., Attorney for Respondent

Signed this 16th day of Sept, 2019

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 24th day of September, 2019, by THERESA RICKS LAMBERT, Registered Nurse License Number 618302, and said Agreed Order is final.

Effective this 24th day of October, 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



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 618302 §
issued to THERESA RICKS LAMBERT § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of THERESA RICKS LAMBERT, Registered Nurse License Number 618302, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9)(eff. 9/1/1993), and 301.452(b)(2)&(10)(eff. 9/1/2003), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 24, 2014.

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 representation by counsel, informal proceedings, notice and hearing, and agreed 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 Abilene Intercollegiate, Abilene, Texas, on May 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas on June 27, 1995.
5. Respondent's nursing employment history is unknown.
6. On or about April 20, 1995, Respondent submitted an Application for Initial Licensure for Graduates of Schools in the United States to the Board of Nurse Examiners for the State of

Texas, in which Respondent provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you ever been convicted of a crime other than minor traffic violations?"

Respondent failed to disclose that, on or about December 7, 1982, Respondent entered a plea of Guilty to and was convicted of the lesser offense of ISSUANCE OF A BAD CHECK, a misdemeanor offense, in the County Court of Kerr County, Texas, under Cause No. 9152.

7. On or about August 11, 2004, Respondent submitted a Board of Nurse Examiners Registered Nurse to the Texas Online Renewal Document, in which Respondent provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's, PI's must be reported and are not considered minor traffic violations. (One time minor in possession [MIP] or minor in consumption [MIC] do not need to be disclosed; therefore, you may answer "No." If you have two or more MIP's or MIC's, you must answer "Yes".)"

Respondent failed to disclose that, on or about September 18, 2003, Respondent entered a plea of Nolo Contendere to and was convicted of ISSUANCE OF A BAD CHECK, a Class C misdemeanor offense, in the County Court at Law 2, Taylor County, Texas, under Cause No. 30654.

Respondent also failed to disclose that, on or about September 19, 2003, Respondent entered a plea of Guilty to and was convicted to THEFT PROP >=\$20 <\$500 BY CHECK, a Class B misdemeanor offense, in the 259th Judicial District Court of Jones County, Texas, Cause No. 21,384A.

8. Formal Charges were filed on January 8, 2014.
9. Formal Charges were mailed to Respondent on January 9, 2014.

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 §217.13(17)(eff. 1/1995), and 22 TEX. ADMIN. CODE §217.12(22)(eff. 11/1/2007).
4. The evidence received is sufficient cause pursuant to TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9)(eff. 9/1/1993), and 301.452(b)(2)&(10)(eff. 9/1/2003), Texas Occupations Code, to take disciplinary action against , Registered Nurse License Number 618302, heretofore issued to THERESA RICKS LAMBERT, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of a REMEDIAL EDUCATION AND A FINE, and RESPONDENT SHALL 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.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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, within one (1) year of entry of this Order, successfully

complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. 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. *Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/compliance>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board*

website address: <http://www.bon.texas.gov/compliance>.

(3) RESPONDENT SHALL pay a monetary fine in the amount of Five Hundred Dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that 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 RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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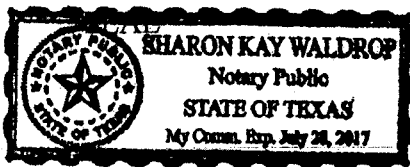
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RESPONDENT'S CERTIFICATION

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 violation(s) 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 25 day of April, 2014.
Theresa Ricks Lambert
THERESA RICKS LAMBERT, Respondent

Sworn to and subscribed before me this 25th day of April, 2014.
Sharon Kay Waldrop
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 25th day of April, 2014, by THERESA RICKS LAMBERT, Registered Nurse License Number 618302, and said Order is final.

Effective this 5th day of May, 2014.



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



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov

Katherine A. Thomas, MN, RN, FAAN
Executive Director

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

September 19, 2014

Ms. Theresa Ricks Lambert
3556 Enchanted Farm
Schertz, TX 78154

Dear Ms. Lambert:

Our file reflects that all requirements of the Order of the Board entered on May 5, 2014, have been met.

Should you wish to reinstate your nurse licensure compact privilege(s), you will need to complete and return the enclosed Declaration of Primary State of Residence form. This form can be downloaded from the Board's website at; <http://www.bon.state.tx.us/>, Applications & Forms, Primary State of Residence Declaration, if needed.

Good luck in any future endeavors and should you have any questions, please contact me at (512) 305-6827.

Sincerely,

Diane E. Burell
Monitoring Supervisor

DB/mw

Enclosure: Sworn Declaration of Primary State of Residence form

I60-06.26.2012

Members of the Board

Kathleen Shipp, MSN, RN, FNP Lubbock, <i>President</i>					
Nina Almasy, MSN, RN Austin	Deborah Bell, CLU, ChFC Arlene	Patricia Clapp, BA Dallas	Tamara Cowen, MSN, RN Harlingen	Sheri Crosby, JD, SPHR Dallas	Marilyn Davis, MPA, BSN, RN Sugar Land
Shelby Ellzey, BBA	Monica Hamby, LVN	Kathy Leader-Horn, LVN	Mary M. LeBeck, MSN, RN Weatherford	Josefina Lujan, PhD, RN El Paso	Beverly Jean Nutall, LVN Bryan