

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 754117	§	
issued to LEA ANN BOBBITT	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LEA ANN BOBBITT, Registered Nurse License Number 754117, 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 September 6, 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 Trinity Valley Community College, Kaufman, Texas, on May 5, 2008. Respondent was licensed to practice professional nursing in the State of Texas on May 22, 2008.
5. Respondent's nursing employment history includes:

5/2008 – unknown	Registered Nurse	Baylor Scott & White Lake Pointe Rowlett, Texas
------------------	------------------	---

Respondent's nursing employment history continued:

12/2018- 1/2019	Charge Nurse	Hunt Regional Emergency Medical Center at Quinlan, Quinlan, Texas
2/2019- Present	Unknown	

6. At the time of the incident, Respondent was employed as a Charge Nurse with Hunt Regional Emergency Medical Center at Quinlan, Quinlan, Texas, and had been in that position for one (1) month.
7. On or about January 16, 2019, while employed as a Registered Nurse with Hunt Regional Emergency Medical Center at Quinlan, Quinlan, Texas, Respondent inappropriately removed Patient Number X24240335 from the heart monitor and escorted him to the restroom and left him unaccompanied. The patient was diagnosed with a Non-ST elevated myocardial infarction (NSTEMI), and was awaiting transportation to the Intensive Care Unit. Subsequently, the patient was found ten (10) minutes later, down on the restroom floor and pulseless, and was unable to be resuscitated. Respondent's conduct was likely to injure the patient from adverse complications of undetected and untreated changes in heart rhythm, including possible demise.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she did remove the patient from the heart monitor and escorted the patient to the restroom. Respondent states that the patient was found in the restroom in cardiac arrest and did not survive. Respondent states that there were several system issues that played into the situation. Respondent notes that this incident occurred right around the time of shift change, and Respondent had barely gotten report when this patient requested to go to the restroom. Respondent states that she had only received minimal information that the patient was going to be transferred for admission, but not any specifics beyond his diagnosis. Respondent states that she was new to the facility and had not received adequate training on facility policies before being thrust into the role of charge nurse.
8. Formal Charges were filed on April 26, 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)(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 754117, heretofore issued to LEA ANN BOBBITT.
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 **LIMITED LICENSE WITH STIPULATIONS** in accordance with the terms of this Order.

- A. While under the terms of this Order, **RESPONDENT SHALL NOT provide direct patient care.** For the purposes of this Order, direct patient care involves the formation of a relationship between the nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.
- B. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- C. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. 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. 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 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.

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](http://www.bon.texas.gov/compliance).*

### IV. RESTORATION OF PATIENT CARE PRIVILEGES AND/OR UNENCUMBERED LICENSE(S)

SHOULD RESPONDENT desire to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all then existing requirements for restoration of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before restoration of an unencumbered license, which, at a

minimum, shall include the remedial education courses, work restrictions, supervised practice, and/or employer reporting which would have been requirements of this Agreed Order had the license(s) not been placed in limited status.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

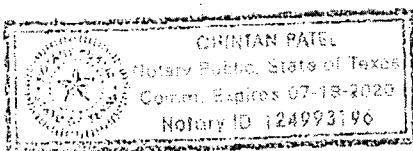
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action 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 7<sup>th</sup> day of October, 2019.

Lea Ann Bobbitt  
LEA ANN BOBBITT, RESPONDENT

Sworn to and subscribed before me this 7<sup>th</sup> day of October, 2019.

SEAL



Girintan Patel

Notary Public in and for the State of Texas

Approved as to form and substance.

Marc M Meyer  
Marc Meyer, Attorney for Respondent

Signed this 7<sup>th</sup> day of October, 2019.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 7th day of October, 2019, by LEA ANN BOBBITT, Registered Nurse License Number 754117, and said Agreed Order is final.

Effective this 12th day of November, 2019.

A handwritten signature in cursive script, reading "Katherine A. Thomas", written over a horizontal line.

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