

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 858210 §  
issued to ERIKA JANE GARTRELL §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ERIKA JANE GARTRELL, Registered Nurse License Number 858210, 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), 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 November 4, 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 a Baccalaureate Degree in Nursing from Southwestern Adventist University, Keene, Texas, on May 7, 2014. Respondent was licensed to practice professional nursing in the State of Texas on June 19, 2014.
5. Respondent's nursing employment history includes:

6/2014 – 08/2014	Unknown	
08/2014 – 07/2016	Registered Nurse	Fort Worth Independent School District Fort Worth, Texas

Respondent's nursing employment history continued:

03/2015 – 05/2018	Registered Nurse	John Peter Smith Hospital Fort Worth, Texas
07/2016 – 07/2017	CTE Health Science Teacher	Burleson Independent School District Burleson, Texas
06/2018 – 07/2019	Registered Nurse	Stonegate Senior Care Center Fort Worth, Texas
06/2018 – Present	Registered Nurse	Texas Health Resources-Arlington Arlington, Texas
08/2019 – Present	CTE Instructor	Lake Worth Independent School District Lake Worth, Texas

6. On or about April 18, 2019, while licensed as a Registered Nurse and during her preceptorship at Cook Children's Medical Center, Fort Worth, Texas, Respondent appeared on the Pediatric Intensive Care Unit (PICU) on a day she was not scheduled for, without notification to the faculty or her assigned preceptor. Additionally, Respondent lied about being on the unit of the PICU and did not have proper identification with her name while on the unit. Furthermore, when staff began to question Respondent about her presence on the unit, she stated her name was "Brooklyn." Respondent's conduct was likely to deceive facility staff, patients and the university of the clinical hours she needed to complete for her graduate classes and created an unsafe environment in that she did not have proper identification while on the unit.
7. In response to Finding of Fact Number Six (6), Respondent states she is truly sorry for the poor judgement she displayed during her clinical shift at Cook's on the day reported. Respondent states at the time she was working two jobs so she could help pay for her impending adoption. Respondent states she was struggling to get all of her required clinical hours completed for her graduate classes. Respondent states she was having difficulty coordinating times with her preceptor and made a poor decision to report for an unscheduled shift in an effort to obtain her required hours for her class. Respondent states she did not confirm the proper badge requirements and wore the badge she was given instead of a badge with a picture ID. Respondent explains when the acting team lead began questioning her in an interrogative manner about her refusal to go into a room without personal protective equipment, it made her feel very defensive. Respondent states things got out of hand at this point and she realized that she might get in trouble with her instructors and she panicked. Respondent states she realizes that she was unwise to even show up for this shift and certainly should not have been dishonest about her name in hopes that her instructors would not find out. Respondent states she is not dishonest in her practice and should not have been in this classroom setting. Respondent states she did not engage

in actual patient care during this time and was basically an observer. Respondent states no lives were jeopardized and no patient care was compromised due to her bad choice.

### 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 §217.12(4)&(6)(H).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 858210, heretofore issued to ERIKA JANE GARTRELL.
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 **REMEDIAL EDUCATION** 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](http://www.bon.texas.gov/compliance).*

V. **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.

VI. **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) and/or privilege(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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

**RESPONDENT'S CERTIFICATION**

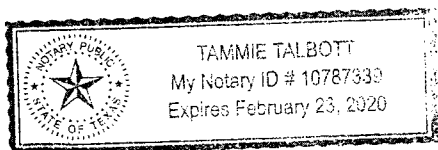
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and 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 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 20 day of December 2019.  
Erika Jane Gartrell  
ERIKA JANE GARTRELL, RESPONDENT

Sworn to and subscribed before me this 20<sup>th</sup> day of December, 2019.

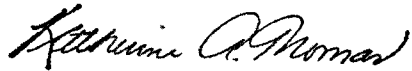
SEAL

Tammie Talbott  
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 20<sup>th</sup> day of December, 2019, by ERIKA JANE GARTRELL, Registered Nurse License Number 858210, and said Agreed Order is final.

Effective this 30<sup>th</sup> day of December, 2019.



---

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