



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 ORDER
Registered Nurse License Number 882261 §
issued to RAQUEL PATRICE RUSHING §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RAQUEL PATRICE RUSHING, Registered Nurse License Number 882261, 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)(1)&(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 December 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 Houston Baptist Univ-De, Houston, Texas, on May 1, 2015. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 2015.
5. Respondent's nursing employment history is unknown.

6. On or about December 14, 2017, Respondent was required to successfully complete a Corrective Action issued by the Board. Respondent had not completed the terms of this order. A copy of the December 14, 2017, Corrective Action is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about December 15, 2018, Respondent failed to comply with the Corrective Action issued to Respondent on December 14, 2017, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Roman Numeral II (A), Remedial Education Courses of the Agreed Order which states, in pertinent part:
 - A. A Board-approved course in Texas nursing jurisprudence and ethics that shall be a minimum of six (6) hours in length.
8. On or about December 15, 2018, Respondent failed to comply with the Corrective Action issued to Respondent on December 14, 2017, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Roman Numeral II (B), Remedial Education Courses of the Agreed Order which states, in pertinent part:
 - B. A Board-approved course in medication administration with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours.
9. On or about December 15, 2018, Respondent failed to comply with the Corrective Action issued to Respondent on December 14, 2017, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Roman Numeral II (C), Remedial Education Courses of the Agreed Order which states, in pertinent part:
 - C. A Board-approved course in nursing documentation that shall be a minimum of six (6) hours in length.
10. On or about December 15, 2018, Respondent failed to comply with the Corrective Action issued to Respondent on December 14, 2017, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Roman Numeral II (D), Remedial Education Courses of the Agreed Order which states, in pertinent part:
 - D. 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
11. In response to Findings of Fact Numbers Seven (7) through Ten (10), Respondent states she was unable to complete the courses due to working, going to school and paying off her attorney's fees.
12. Formal Charges were filed on October 11, 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 §217.12 (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 882261, heretofore issued to RAQUEL PATRICE RUSHING.
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 WITH FINE** 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. SUPERSEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Agreed Order SHALL supersede all previous stipulations required by any Order entered by the Texas Board of Nursing.

IV. 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.

V. 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 six (6) months 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. **A Board-approved course in medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. 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. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- D. **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.*

VI. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five hundred dollars (\$500.00) within forty-five (45) days of the effective date 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.

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) 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.

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RESPONDENT'S CERTIFICATION

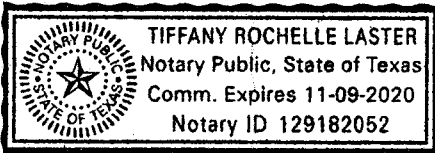
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, 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 31 day of December 2019
Raquel Rushing, RN
RAQUEL PATRICE RUSHING, RESPONDENT

Sworn to and subscribed before me this 31st day of December, 2019.

SEAL

Tiffany R. Laster
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 31st day of December, 2019, by RAQUEL PATRICE RUSHING, Registered Nurse License Number 882261, and said Agreed Order is final.

Effective this 9th day of January, 2020.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § CORRECTIVE
Registered Nurse License Number 882261 §
issued to RAQUEL PATRICE RUSHING § ACTION

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RAQUEL PATRICE RUSHING, Registered Nurse License Number 882261, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Corrective Action approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 2, 2017.

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 Corrective Action.
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 Houston Baptist University, Houston, Texas, on May 1, 2015. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 2015.
5. Respondent's nursing employment history includes:

6/2015 - 1/2016	Registered Nurse	Texas Children's Hospital Houston, Texas
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Respondent's nursing employment history continued:

6/2015 - Present Registered Nurse Encompass Pediatric Home Health
Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Texas Children's Hospital, Houston, Texas, and had been in that position for three (3) months.
7. On or about September 28, 2015, through November 6, 2015, while employed as a Registered Nurse with Texas Children's Hospital, Houston, Texas, Respondent removed eight (8) narcotics from the Omnicell for Patient Number 865243182 and Patient Number 861885760 but failed to document and/or completely and accurately document the administration of the medications in the patients' Medication Administration Records. Respondent's conduct was likely to injure that patients in that subsequent care givers would rely on Respondent's documentation to further medicate the patients which could result in overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about October 1, 2015, while employed as a Registered Nurse with Texas Children's Hospital, Houston, Texas, Respondent failed to administer Cefazolin to Patient Number 3001494310, as ordered, in that Respondent administered two (2) doses of Cefazolin within a 3-hour period. Subsequently, the patient did not receive the medication every six (6) hours, as ordered. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment of the patient's health condition.
9. In response to the incidents in Findings of Facts Numbers Seven (7) and Eight (8), Respondent states she has taken proactive steps to learn from her mistakes, and there was no patient harm or risk to patient safety.

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. Respondent's conduct is sufficient to prove violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4) and Sections 301.452(b)(10)&(13), Texas Occupations Code, but constitutes grounds for corrective action pursuant to Section 301.652, Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.32(2)(H) in lieu of disciplinary action.

CORRECTIVE ACTION

IT IS THEREFORE AGREED that RESPONDENT SHALL successfully complete the requirements of this **CORRECTIVE ACTION**.

I. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Corrective Action, 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 Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Corrective Action.

Until successfully completed, this Corrective Action SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

II. 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 Corrective Action, 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 courses and video programs will not be approved.

- B. A Board-approved course in medication administration with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include:

a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. 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. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.

- C. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- D. 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.*

III. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five hundred dollars (\$500.00) within forty-five (45) days of the effective date of this Corrective Action.**

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.

IV. EFFECT OF CORRECTIVE ACTION

Upon full compliance with the terms of this Corrective Action, this matter shall be closed and this Corrective Action shall remain confidential.

Should Respondent fail to successfully complete the terms of this Corrective Action, this matter shall be terminated immediately and shall be treated as a disciplinary proceeding under Subchapter J, TEX. OCC. CODE.

Should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Corrective Action shall be treated as prior disciplinary action.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Corrective Action. I have reviewed this Corrective Action. I neither admit nor deny the violation alleged herein. By my signature on this Corrective Action, I agree to the entry of this Corrective Action and to successfully complete its conditions, to avoid disciplinary action in this matter. I waive judicial review of this Corrective Action. I understand that when this Corrective Action becomes final and the terms of this Corrective Action become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Corrective Action, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this ^{5th} ~~21st~~ day of December 20¹⁷.
Raquel Rushing
RAQUEL PATRICE RUSHING, Respondent.

Sworn to and subscribed before me this _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

Approved as to form and substance
Alejandro Mora

Alejandro Mora, Attorney for Respondent

Signed this 14th day of December, 20 17.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby impose the Corrective Action that was signed on the 5th day of December, 2017, by RAQUEL PATRICE RUSHING, Registered Nurse License Number 882261, and said Corrective Action is final.

Effective this 14th day of December, 2017.



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