

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 877816	§	
& Vocational Nurse License Number 319280	§	
issued to ASHLEY SOPHIA GOGLE	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ASHLEY SOPHIA GOGLE, Registered Nurse License Number 877816, and Vocational Nurse License Number 319280, 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 October 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 vocational nurse in the State of Texas is in current 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 College of the Mainland, Texas City, Texas, on December 13, 2013. Respondent received an Associate Degree in Nursing from College of the Mainland, Texas City, Texas, on May 15, 2015. Respondent was licensed to practice vocational nursing in the State of Texas on March 13, 2014. Respondent was licensed to practice professional nursing in the State of Texas on May 26, 2015.

5. Respondent's nursing employment history includes:

6/2015 – Present	Registered Nurse	Clear Lake Regional Medical Center Webster, Texas
3/2016 – 3/2017	Registered Nurse	University of Texas Medical Branch Galveston, Texas
2/2017 – 6/2017	Registered Nurse	Bay Area Regional Medical Center Webster, Texas
6/2017 – 2/2019	Registered Nurse	Houston Methodist Clear Lake Hospital Nassau Bay, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Houston Methodist Clear Lake Hospital, Nassau Bay, Texas, and had been in that position for one (1) year.
7. On or about June 3, 2018, through June 4, 2018, while employed as a Registered Nurse with Houston Methodist Clear Lake Hospital, Nassau Bay, Texas, Respondent failed to completely and accurately assess and document the vital signs of Intensive Care Patient Number 027845494 while administering a dopamine infusion as per physician orders. Respondent's conduct created an incomplete medical record and exposed the patient to risk of harm from potentially adverse complications of undetected and untreated changes in cardiac status; including, possible demise.
8. On or about October 13, 2018, while employed as a Registered Nurse with Houston Methodist Clear Lake Hospital, Nassau Bay, Texas, Respondent stopped a continuous Heparin infusion for Patient Medical Record Number 104404090 without a physician's order, while transferring the patient to another unit. Upon arrival at the new unit, there were no infusion pumps available. Respondent failed to obtain an infusion pump or restart the Heparin infusion. Additionally, Respondent failed to notify staff in the receiving unit of the patient's arrival. Respondent's conduct created an improper hand-off report and exposed the patient to risk of harm in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment of the patient's condition.
9. On or about October 19, 2018, while employed as a Registered Nurse with Houston Methodist Clear Lake Hospital, Nassau Bay, Texas, Respondent failed to properly label a syringe containing insulin with the identifier of the intended patient; furthermore, Respondent left the unlabeled syringe exposed and in plain view on her workstation. Respondent's conduct left the medication unsecured and subject to misappropriation and/or diversion.

10. On or about February 10, 2019, while employed as a Registered Nurse with Houston Methodist Clear Lake Hospital, Nassau Bay, Texas, Respondent withdrew Propofol from the Medication Dispensing System for Patient Medical Record Number 100381219; however, Respondent failed to administer the medication after transporting the patient for a diagnostic procedure. Furthermore, Respondent failed to take precautions to appropriately safeguard the medication; instead, leaving the Propofol unattended in a treatment room. Respondent's conduct left the medication unsecured and subject to misappropriation and/or diversion.
11. In response to the incident in Finding of Fact Number Seven (7) Respondent states other nurses in the unit assisted with mixing and initiating medication drips while the patient was undergoing cooling protocol. In response to the incident if Finding of Fact Number Eight (8), Respondent states the patient was being transferred to a lower level of care and she notified the receiving unit the patient was currently on a Heparin drip and an ordered lab specimen was due in two (2) hours. In response to the incident in Finding of Fact Number Nine (9), Respondent states she did have a syringe of insulin on her personal mobile workstation while preparing a patient for discharge. Respondent also states a misunderstanding of facility labeling procedures was the root cause of the syringe not being labeled in accordance with hospital standards. In response to the incident in Finding of Fact Number Ten (10), Respondent states the Propofol was taken along during patient transport as the neurologist wanted it administered enroute. Respondent also states the Propofol was returned to the unit charge nurse and appropriately wasted.

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)(C),(1)(D)&(1)(P) 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 877816, and Vocational Nurse License Number 319280, heretofore issued to ASHLEY SOPHIA GOGLE.
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.

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. **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.*

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 four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) 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 four (4) quarters [one (1) year] of employment as a nurse.

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.

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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.



for Ashley Sophia Gogle

Signed this 25 day of November, 2019.
Ashley Gogle
ASHLEY SOPHIA GOGLE, RESPONDENT

Sworn to and subscribed before me this 25 day of November, 2019.

SEAL

Mary Gordon
Notary Public in and for the State of Texas

Approved as to form and substance
Michele Quattlebaum
Michele Quattlebaum, Attorney for Respondent

Signed this 25th day of November, 2019.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 25th day of November, 2019, by ASHLEY SOPHIA GOGLE, Registered Nurse License Number 877816, and Vocational Nurse License Number 319280, and said Agreed Order is final.

Effective this 23rd day of January, 2020.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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