

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
Vocational Nurse License Number 147113 &	§	FOR
Privilege to Practice from Arkansas Practical	§	KSTAR PROGRAM
Nurse License Number L032434	§	
issued to SHARION ELAINE CLARK		

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHARION ELAINE CLARK, Vocational Nurse License Number 147113 and Privilege to Practice from Arkansas Practical Nurse License Number L032434, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 304.005, Article 5, Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order for KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on June 18, 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) Privilege to Practice from the State of Arkansas.
2. Respondent waived notice and hearing, and agreed to the entry of this Agreed Order for KSTAR Program.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in nurse licensure compact invalid status. Respondent's license to practice practical nursing in the State of Arkansas, a member of the Nurse Licensure Compact, is in active, multistate status.

4. Respondent received a Certificate in Vocational Nursing from Texarkana College, Texarkana, Texas, on February 25, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on June 1, 1994. Respondent was licensed to practice practical nursing in the State of Arkansas on August 31, 1994.

5. Respondent's nursing employment history includes:

6/1994 – 1996	Licensed Vocational Nurse	Medical Lodge Nursing Center Texarkana, Texas
1996 – 2002	Licensed Vocational Nurse	Jordan's Health Services Mt. Vernon, Texas
1999 - 2003	Licensed Vocational Nurse	Care IV Home Health Texarkana, Arkansas
2003 – 2008	Licensed Vocational Nurse	Edgewood Manor Nursing Center Texarkana, Texas
2004 – 2010	Licensed Vocational Nurse	Care IV Home Health Hot Springs, Arkansas
2011 -2017	Licensed Vocational Nurse	Jordan's Health Services Mt. Pleasant, Texas
2/2017 - 6/2017	Licensed Vocational Nurse	Heritage Plaza Nursing Center Texarkana, Texas
12/2017 – 4/2018	Licensed Vocational Nurse	Heritage Plaza Nursing Center Texarkana, Texas
2016 – Present	Licensed Vocational Nurse	Edgewood Manor Nursing Center Texarkana, Texas

6. At the time of the initial incident, Respondent a utilizing her Privilege to Practice Practical/Vocational Nursing from the State of Arkansas, was employed as a Licensed Vocational Nurse with Heritage Plaza Nursing Center, Texarkana, Texas, and had been in that position for one (1) month.

7. On or about January 14, 2018, while utilizing a Privilege to Practice Practical/Vocational Nursing from the State of Arkansas and employed as a Licensed Vocational Nurse with Heritage Plaza Nursing Center, Texarkana, Texas, Respondent inappropriately administered twelve (12) units of regular insulin to Resident ED without a valid physician

order; furthermore, Respondent failed to notify the physician of the medication error and failed to recheck the blood glucose level; additionally, Respondent failed to document administration of the twelve (12) units of insulin in the insulin log. Respondent's conduct created an incomplete medical record and exposed the patient to risk of harm from the administration of extra doses of medication without a physician's order.

8. On or about February 8, 2018, while utilizing a Privilege to Practice Practical/Vocational Nursing from the State of Arkansas and employed as a Licensed Vocational Nurse with Heritage Plaza Nursing Center, Texarkana, Texas, Respondent failed to document elevated percutaneous endoscopic gastrostomy (PEG) tube residuals for Resident VB. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care decisions.
9. In response to the incident in Finding of Fact Number Seven (7), Respondent states she has never administered insulin to a Resident without an MD order or without rechecking a high glucose level. In response to the incident in Finding of Fact Number Eight (8), Respondent states the PEG residuals for Resident VB were not more than 20ml for the shift. Respondent additionally states she remains watchful as the resident has a history of aspiration.

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)(M)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A), (1)(B),(1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Sections 301.452(b)(10)&(13) and 304.001, Article 5, Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 147113 and Privilege to Practice from Arkansas Practical Nurse License Number L032434, heretofore issued to SHARION ELAINE CLARK.
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 for KSTAR Program.

III. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, **within one (1) year of the effective date of this Order**, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Program and RESPONDENT SHALL:

- A. **Within forty-five (45) days** following the effective date of this Order, apply to and enroll in the KSTAR Program, including payment of any fees and costs, unless otherwise agreed in writing;

- B. Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;
- C. Follow all requirements within the remediation plan, if any;
- D. Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Program; and
- E. Provide written documentation of successful completion of the KSTAR Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

V. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order for KSTAR Program, all encumbrances will be removed from RESPONDENT'S license(s)/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 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.

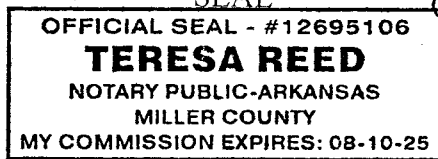
Signed this 15 day of Jan., 20 20

Sharion Elaine Clark

SHARION ELAINE CLARK, Respondent

Sworn to and subscribed before me this 15th day of JANUARY, 20 20.

Teresa Reed



Notary Public in and for the State of ARKANSAS

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program that was signed on the 15th day of January, 2020, by SHARION ELAINE CLARK, Vocational Nurse License Number 147113 and Privilege to Practice from Arkansas Practical Nurse License Number L032434, and said Agreed Order for KSTAR Program is final.

Effective this 10th day of March, 2020.



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