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*Katherine A. Thomas*  
Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Advanced Practice Registered Nurse License	§	
Number AP139428 with Prescription	§	
Authorization Number 28211	§	
& Registered Nurse License Number 640539	§	
issued to GAIL ANDREJCZAK	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of GAIL ANDREJCZAK, Advanced Practice Registered Nurse License Number AP139428 with Prescription Authorization Number 28211, and Registered Nurse License Number 640539, 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 30, 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. Respondent's license to practice as an advanced practice registered nurse in the State of Texas with authorization as a Family Nurse Practitioner is in current status with Prescription Authorization Number 28211 in current status.
4. Respondent received a Baccalaureate Degree in Nursing from University of Texas-Medical Branch, Galveston, Texas, on April 1, 1997. Respondent completed a Family Nurse Practitioner Program from University of Texas at Arlington, Arlington, Texas, on August 1, 2018. Respondent was licensed to practice professional nursing in the State of Texas on

June 10, 1997. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Family Nurse Practitioner on October 22, 2018. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Family Nurse Practitioner with Prescription Authorization on October 22, 2018.

5. Respondent's nursing employment history includes:

6/1997 – 2/1998	RN	Columbia Clear Lake Regional Webster, Texas
2/1998 – 4/2009	RN	St. Joseph Regional Health Center Bryan, Texas
2/1999 – 5/2000	RN	Hospice Brazos Valley Brenham, Texas
6/2009 – 5/2011	DOCS	Texas Home Health Brenham, Texas
6/2011 – 3/2012	ADON	Brenham Rest Home Brenham, Texas
3/2012 – 2/2017	RN	Baylor Scott & White Hospital Brenham, Texas
4/2012 – 6/2019	RN	The Physician Centre Hospital Bryan, Texas
7/2019 – Present	FNP	UTMB/TJJD Giddings, Texas
7/2019 – Present	FNP	Smooth Dimensions Medical Aesthetics Brenham, Texas
9/2019 – Present	RN	Silversage Assisted Living/Memory Care Brenham, Texas

6. At the time of the initial incident, Respondent was employed as a Family Nurse Practitioner with The Physician Centre Hospital, Bryan, Texas, and had been in that position for seven (7) years and two (2) months.

7. On or about June 17, 2019, while employed with The Physicians Centre Hospital, Bryan, Texas, Respondent inappropriately provided a work release form from the emergency room (ER) to a family friend and advised him on how to fill it out and to sign it using a copy of her signature. Additionally, the friend was not seen as a patient in the ER and Respondent was not working in the ER. Respondent's conduct was misleading and contributed to inaccurate information being placed on the form.
8. In response to Finding of Fact Number Seven (7), Respondent states that she is embarrassed and ashamed by her lack of morals/ethics in a poor decision. At the time, Respondent explains that she did not see a work note as a very big deal and viewed it more like a note that one would send to the school for their child. According to Respondent, she sent the friend a copy of a sick/work note used by The Physicians Centre Hospital. Respondent states that they asked to use the form and she told them how to fill the form out and to just sign her name. Respondent states that she sent a copy of her signature for them to copy, but did not include any credentials. Respondent states, there is no excuse for her behavior and that she knows she was part of a lie. Respondent states that she now sees the harm and legal ramifications. Respondent acknowledges that she tried to help a friend, but compromised her license, herself, and nursing by making a poor decision.

#### 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) and 22 TEX. ADMIN. CODE §217.12(1)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP139428 with Prescription Authorization Number 28211, and Registered Nurse License Number 640539, heretofore issued to GAIL ANDREJCZAK.
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. 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. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) 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.

**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**

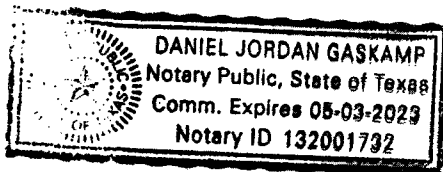
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, 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 2 day of March, 2020.

Gail Andrejczak  
GAIL ANDREJCZAK, RESPONDENT

Sworn to and subscribed before me this 2<sup>nd</sup> day of March, 2020.

SEAL



Daniel Jordan Gaskamp  
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 2nd day of March, 2020, by GAIL ANDREJCZAK, Advanced Practice Registered Nurse License Number AP139428, and Registered Nurse License Number 640539, and said Agreed Order is final.

Effective this 11th day of March, 2020.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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