

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 803695 § FOR DEFERRED DISCIPLINE &
issued to ANDREA SUE MORETZ § KSTAR PILOT PROGRAM

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that ANDREA SUE MORETZ, Registered Nurse License Number 803695, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was held on Tuesday, December 2, 2014, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Taralynn R. Mackay, Attorney at Law. In attendance were Kristin Benton, MSN, RN, Director of Nursing, Executive Director's Designee; Natalie Adelaja, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Skylar Caddell, RN-BC, Nurse Investigator Specialist; Noemi Vezina, Lead Investigator; and Elena Wolfe, Investigator.

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 Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.

4. Respondent received an Associate Degree in Nursing from North Iowa Area Community College, Mason City, Iowa, on May 4, 2007. Respondent was licensed to practice professional nursing in the State of Texas on June 23, 2011.

5. Respondent's professional nursing employment history includes:

08/07 - 07/08	RN	Select Specialty Hospital Madison, Wisconsin
02/08 - 05/11	RN	St. Mary's Hospital Madison, Wisconsin
06/11 - Unknown	RN	Scott & White Hospital Round Rock, Texas
07/12 - 11/12	RN	Lakeway Regional Medical Center Lakeway, Texas
11/12 - 03/14	RN	North Austin Medical Center Austin, Texas
04/14 - Present	RN	Memorial Hermann Medical Center Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Lakeway Regional Medical Center, Lakeway, Texas, and had been in this position for one (1) month.

7. On or about August 21, 2012, while employed with Lakeway Regional Medical Center, Lakeway, Texas, Respondent failed to assess, or failed to document the assessment of, Patient Medical Record Number 1003660, after the laboratory reported a low Hemoglobin result, which was a significant change from the previous result. Additionally, Respondent failed to verify the abnormally low Hemoglobin level with the laboratory. Instead, Respondent reported the lab value to the physician on call, and received orders to transfuse the patient. Consequently, the patient received 150ml of blood in error. Respondent's conduct created an incomplete medical record and unnecessarily exposed the patient to risk of harm from complications associated with blood transfusions.

8. On or about October 3, 2012, while employed with Lakeway Regional Medical Center, Lakeway, Texas, Respondent inappropriately administered Klonopin and Ambien at the same time to Patient Medical Record Number 1005322. Klonopin and Ambien are both sedating medications, and the Klonopin was ordered by the physician to be administered as needed (PRN) if the patient had anxiety. Respondent administered both medications when the patient requested something to help him sleep that night even though the patient was not

demonstrating signs of anxiety. As a result, the patient became over-sedated, lethargic and apneic, and had to be placed on a pulse oximeter for monitoring because the patient's blood oxygen saturation levels decreased while asleep. Respondent's conduct unnecessarily exposed the patient to risk of harm from complications associated with central nervous system depressants, including respiratory depression.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), regarding Patient Number 1003660, Respondent states she assessed the patient for blood loss and the low lab level was compared to previous lab levels. Respondent states that she notified the on-call physician and she did not note any obvious signs or symptoms of bleeding. Respondent further states that she and the physician presumed the patient was bleeding somewhere as a result from a previous fall, so the physician gave orders to transfuse the patient and the next shift carried out the blood transfusion. Respondent states that the lab later realized their error and transfusion was stopped after patient had already received 150ml of blood. Regarding Patient Number 1005322, Respondent states the attending physician ordered the PRN Klonopin and it was verified by the pharmacy and confirmed by the patient's wife. Respondent states that the patient's wife stated that the patient took Klonopin and Ambien at the same time. Respondent further states that throughout the night, the patient's oxygen saturation levels and vitals were stable. Respondent states that when the patient was awakened for scheduled medications, he was noted to be lethargic, so the attending physician was notified and Respondent received orders to place the patient on a continuous pulse oximeter.

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)(N)&(3) and 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 803695, heretofore issued to ANDREA SUE MORETZ.

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TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS, DEFERRED**, 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. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

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 Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

Further, RESPONDENT SHALL not commit any violation of 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.* **for a period of five (5) years from the date of this Order.**

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

IT IS AGREED and ORDERED that RESPONDENT SHALL, within one (1) year

of entry of this Order, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program and RESPONDENT SHALL:

- (A) Within forty-five (45) days of entry of this Order, apply to and enroll in the KSTAR Pilot 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 Pilot Program; and
- (E) Provide written documentation of successful completion of the KSTAR Pilot 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 Pilot 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. EFFECT OF DEFERRED DISCIPLINE

Upon successful completion of the stipulated requirements of this Order, all encumbrances will be removed from Respondent's license(s) to practice nursing in the State of Texas, and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

Upon the successful completion of the required five (5) year period of deferral, the complaint or complaints which formed the basis for this action will be dismissed and this Order

will be made confidential to the same extent as a complaint filed under Section 301.466, Texas Occupations Code.

Until such time that this Order is made confidential, this Order is subject to disclosure in accordance with applicable law.

Should an additional allegation, complaint, accusation, or petition be reported or filed against Respondent prior to the time this Order is made confidential, the deferral period shall be extended until the allegation, accusation, or petition has been finally acted upon by the Board.

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

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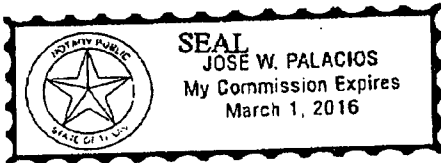
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed 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 when this Order becomes final and the terms of this Order become effective, 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) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 22 day of December, 2014.

Andrea Sue Moretz
ANDREA SUE MORETZ, Respondent

Sworn to and subscribed before me this 22 day of December, 2014.



[Signature]
Notary Public in and for the State of Texas

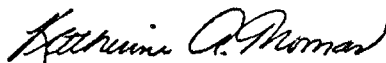
Approved as to form and substance.

Taralynn R. Mackay
Taralynn R. Mackay, Attorney for Respondent

Signed this 29th day of December, 2014.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for Deferred Discipline that was signed on the 22nd day of December, 2014, by ANDREA SUE MORETZ, Registered Nurse License Number 803695, and said Order is final.

Effective this 10th day of February, 2015.



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