



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 905617	§	FOR
issued to DIANA NICOLE PASSARO	§	KSTAR PROGRAM
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DIANA NICOLE PASSARO, Registered Nurse License Number 905617, 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 for KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 2, 2020.

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 for KSTAR Program.
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 Dutchess Community College, Poughkeepsie, New York, on May 1, 2014. Respondent was licensed to practice professional nursing in the State of Texas on July 27, 2016.

5. Respondent's nursing employment history includes:

12/2014-08/2015	Registered Nurse	Cerebral Palsy of Ulster County Lake Katrine, NY
2015	Registered Nurse	Privatis Home Care Solutions Unknown, NY
01/2016 – 05/2016	Unknown	
06/2016-Unknown	Registered Nurse	Elant at Meadow Hill Newburgh, NY
06/2016-Unknown	Registered Nurse	Hendrick Medical Center Abilene, TX

5. At the time of the initial incident, Respondent was employed as a Registered Nurse with Hendrick Medical Center, Abilene, Texas, and had been in that position for one (1) year and two (2) months.
6. On or about August 19, 2017, while employed with Hendrick Medical Center, Abilene, Texas, Respondent failed to administer potassium to the correct patient and instead administered the potassium in error to Patient Number 0413157. Respondent's conduct was likely to injure the patient from the adverse effects of elevated serum potassium, which can include suppression of electrical activity of the heart and possible demise, without the benefit of physician expertise.
7. On or about January 24, 2018, while employed with Hendrick Medical Center, Abilene, Texas, Respondent failed to timely and accurately document vital signs at 15 minutes and at 30 minutes after starting a blood transfusion for Patient Number 0739270. Respondent's conduct was likely to injure the patient from undetected changes of condition, including possible blood transfusion reaction.
8. On or about February 8, 2018, while employed with Hendrick Medical Center, Abilene, Texas, Respondent failed to notify the physician when Patient Number 047091 had a low blood sugar level of 37 mg/dl. Per physician's order, provider notification was required for blood sugar levels below 60 mg/dl. Additionally, Respondent failed to timely recheck the patient's blood sugar 15 minutes after administering orange juice per hypoglycemic protocol. Respondent was instructed to recheck the blood sugar level approximately 22-28 minutes later after the charge nurse, who notified the physician, noticed the patient's blood sugar level was 37 mg/dl. Respondent's conduct was likely to injure the patient in that the patient's decreasing blood sugar could have resulted in injury without the benefit of physician care.

9. In response to Finding of Fact Number Seven (7), Respondent admits she made an error when administering the potassium to the wrong patient. In response to Finding of Fact Number Nine (9), Respondent admitted to documenting the vital signs incorrectly, but states she did assess the vital signs prior to obtaining the blood. In response to Finding of Fact Number Eleven (11), Respondent stated she did check the blood sugar of Patient 0474091 15 minutes after giving the orange juice, which is how she knew to administer the Dextrose IV.

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)&(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 905617, heretofore issued to DIANA NICOLE PASSARO.
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) 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

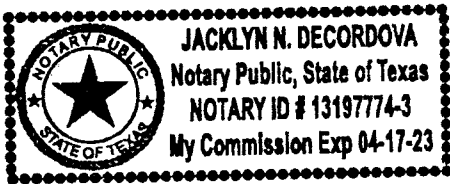
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order 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.

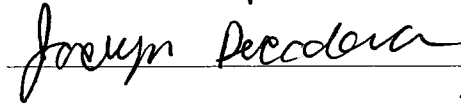
Signed this 13th day of April, 2020.


DIANA NICOLE PASSARO, RESPONDENT

Sworn to and subscribed before me this 13th day of April, 2020.

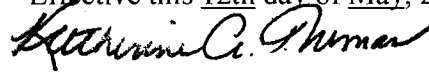
SEAL




Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program that was signed on the 13th day of April, 2020, by DIANA NICOLE PASSARO, Registered Nurse License Number 905617, and said Agreed Order for KSTAR Program is final.

Effective this 12th day of May, 2020.



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