

# BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of  
Registered Nurse License Number 956359  
issued to WADE ALLAN SULLIVAN

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## AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of WADE ALLAN SULLIVAN, Registered Nurse License Number 956359, 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 February 10, 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.
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 County Community College, Saranac Lake, New York, on April 1, 2013. Respondent was licensed to practice professional nursing in the State of Texas on November 15, 2018.
5. Respondent's nursing employment history includes:

11/2018 – 5/2019

Registered Nurse

Shannon Medical Center  
San Angelo, Texas

5/2019 – 8/2019

Unknown

Respondent's nursing employment history continued:

8/2019 – 10/2019	Registered Nurse	Shannon Medical Center San Angelo, Texas
10/2019 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Shannon Medical Center, San Angelo, Texas, and assigned to the Behavioral Health Center, and had been in that position for one (1) month.
7. On or about October 1, 2019, while employed as a Registered Nurse with Shannon Medical Center, San Angelo, Texas, and assigned to the Behavioral Health Center, Respondent slapped restrained patient D.M. across the face while transporting patient to the observation room. Respondent's conduct was likely to cause emotional, physical, and/or psychological harm to the patient and could have interfered or disrupted this patient's treatment.
8. In response to Finding of Fact Number Seven (7), Respondent states the patient was placed in the restraint chair and taken to the seclusion room. Respondent states on the way to the seclusion room, patient D.M. kept repeating to him, "You're dead, when I get out, you're dead." Respondent states patient D.M. was coughing something up and attempting to spit it at him. Respondent states he quickly reached out with his hand to redirect the patient's face and turn his head so that the patient could not spit on him.

#### 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) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(C)&(6)(F).
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 956359, heretofore issued to WADE ALLAN SULLIVAN.
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 **REPRIMAND WITH STIPULATIONS** and RESPONDENT'S license(s) shall be placed in **INACTIVE** status.

Should RESPONDENT decide in the future to reactivate his/her license(s) to practice nursing in the State of Texas, RESPONDENT SHALL be required to petition the Board for reactivation of the license and satisfy all then existing requirements for reactivation. Further, RESPONDENT'S reactivated license(s) SHALL BE subject to, at a minimum, the remedial education courses, work restrictions, supervised practice, and employer reporting which would have been requirements of this Order had RESPONDENT not chosen to inactivate his/her nursing license(s).

Until such time that RESPONDENT'S license(s) to practice nursing in the State of Texas is/are reactivated, RESPONDENT SHALL NOT use a Privilege to Practice Nursing in the State of Texas from any Nurse License Compact member state.

### **II. SUBSEQUENT CRIMINAL PROCEEDINGS**

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

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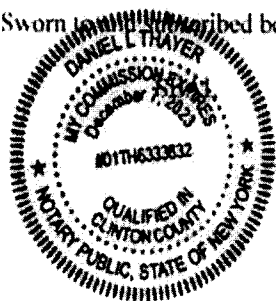
RESPONDENT'S CERTIFICATION

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. I further understand that, should I decide in the future to reactivate my license(s), I will be required to satisfy, at a minimum, the additional requirements that would have been part of this Order had the license(s) not been placed in inactive status, as stated herein, as well as all then existing requirements for reactivation.

Signed this 22 day of April, 2020.

Waide Allan Sullivan  
WAIDE ALLAN SULLIVAN, RESPONDENT

Sworn to and subscribed before me this 22<sup>nd</sup> day of April, 2020.



Dan Thayer  
Notary Public in and for the State of NY

Approved as to form and substance.

Ronald P. Wright  
Ronald P. Wright, Attorney for Respondent

Signed this 24 day of April, 2020

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22<sup>nd</sup> day of April, 2020, by WADE ALLAN SULLIVAN, Registered Nurse License Number 956359, and said Agreed Order is final.

Effective this 9<sup>th</sup> day of June, 2020.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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