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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 778660	§	FOR
issued to JACOB RYAN PIERCE	§	KSTAR PROGRAM
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JACOB RYAN PIERCE, Registered Nurse License Number 778660, 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 April 3, 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 Purdue University North Central Campus, Westville, Indiana, on May 18, 2009. Respondent was licensed to practice professional nursing in the State of Texas on December 29, 2009.

5. Respondent's nursing employment history includes:

12/2009 – 06/2015	Registered Nurse	St. David's South Austin Medical Center Austin, Texas
07/2015 – 08/2015	Unknown	
09/2015 – 02/2019	Registered Nurse	Seton Medical Center Williamson Round Rock, Texas
03/2019 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Seton Medical Center Williamson, Round Rock, Texas, and had been in that position for two (2) years and nine (9) months.
7. On or about June 4, 2018, while employed as a Registered Nurse with Seton Medical Center Williamson, Round Rock, Texas, Respondent left his nursing assignment for approximately one (1) hour and fifty-one minutes without notifying the appropriate personnel. As a result, Respondent was thus unavailable for the critical care transport of one of his patients to another hospital, despite Respondent having prior knowledge of the transport. Respondent did not return to the Intensive Care Unit until his shift supervisor called Respondent's cell phone. Subsequently, security video revealed that Respondent left the building at 20:16 and returned at 22:07. Respondent's conduct exposed the patient unnecessarily to risk of harm in that leaving the nursing assignment could have resulted in the patient not getting the care needed.
8. On or about January 25, 2019, while employed as a Registered Nurse with Seton Medical Center Williamson, Round Rock, Texas, Respondent failed to conduct point-of-care (POC) blood glucose monitoring checks every two (2) hours on Patient Medical Record Number 7894461, despite reviewing the order at 22:30. Subsequently, no POC blood glucose checks were conducted on the patient until January 26, 2019 at 07:18. Respondent's conduct exposed the patient unnecessarily to a risk of experiencing unrecognized clinical complications.
9. In response to the incident in Finding of Fact Seven (7), Respondent states that after speaking with the Charge Nurse and learning that she had not heard back from either the transport team or the House Supervisor, he decided to take his lunch earlier than he normally would as it was very common to receive an admission soon after a transfer or discharge. Respondent states that he reported off the pertinent information to his lunch buddy who agreed to watch his patients while he was off the unit. Respondent states that he ordered his dinner from a nearby restaurant; however, when he arrived they had not received his order so he had to re-order and wait for them to complete it. Respondent states

he returned to the hospital as quickly as he could, assisted in completing the transfer and apologized to the charge nurse and to the nurse who watched his patients that his break was longer than the usual 30 minutes. In response to the incident in Finding of Fact Number Eight (8), Respondent states he made an error and simply missed this order to assess the blood glucose every two hours as ordered by the PCP. He states at times their unit has a PCT/CA to assess the blood glucoses on the unit but he doesn't believe they had one that night.

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)(I)&(1)(N) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(4)&(12).
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 778660, heretofore issued to JACOB RYAN PIERCE.
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 14 day of July, 2020.

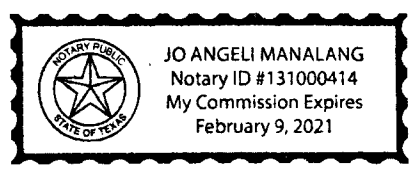
Jacob Ryan Pierce
JACOB RYAN PIERCE, RESPONDENT

Sworn to and subscribed before me this 14th day of July, 2020.

SEAL

Jo Angeli Manalang

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 14th day of July, 2020, by JACOB RYAN PIERCE, Registered Nurse License Number 778660, and said Agreed Order for KSTAR Program is final.

Effective this 18th day of August, 2020.



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