

Respondent's nursing employment history continued:

12/2017-Unknown	Licensed Vocational Nurse	Super Hero Kids Home Health McAllen, Texas
4/2019-Present	Licensed Vocational Nurse	Thrive Skilled Pediatric Care Tyler, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Thrive Skilled Pediatric Care, Tyler, Texas, and had been in that position for one (1) month.
7. On or about April 19, 2019, through May 12, 2019, while employed as a Licensed Vocational Nurse with Thrive Skilled Pediatric Care, Tyler, Texas, Respondent failed to clarify an order for Clonidine on multiple occasions for Patient BB. Specifically, the order stated to administer Clonidine 0.1 milligram tablet every night at bedtime for agitation and inability to fall asleep. Respondent held the regularly scheduled medication when the patient did not have trouble with agitation and sleep, without notifying the physician and requesting a change in the ordered daily dose. Additionally, Respondent failed to adequately document holding Clonidine, including rationale and signs and symptoms the patient was exhibiting. Respondent's conduct resulted in an incomplete medical record and exposed the patient to a risk of harm in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment of the patient's condition.
8. On or about May 12, 2019, while employed as a Licensed Vocational Nurse with Thrive Skilled Pediatric Care, Tyler, Texas, Respondent exceeded her scope of practice and inappropriately removed the peripherally inserted central catheter (PICC) line of Patient BB. Respondent's conduct unnecessarily exposed the patient to risk of complications.
9. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she attended Onboarding training, but that she did not receive any clinical training nor clinical policies. Respondent states that after the incident, she completed the full onboarding training. Respondent states that the nurses and the patient's mother called Thrive numerous times to have them contact the physician to change the order but it was not changed. Respondent states that she was instructed to contact the agency instead of contacting the physician directly. In response to the incident in Finding of Fact Number Eight (8), Respondent states that she attended PICC line training. Respondent states that no one at Thrive PICC line training instructed her that the PICC line can only be removed by a Registered Nurse (RN), and the employer policy was not provided to them. Respondent states that she was not aware of the Texas Board of Nursing position statement regarding removal of PICC lines. Respondent states that after the Thrive training she returned to the hospital and the hospital vascular nurses trained her on the on the PICC line. Respondent states that she was trained on how to remove the PICC line, complications that could occur, and Respondent was instructed that the order was for removal in ten days.

Respondent states that the physician's order for the removal included the same information and did not state that a RN was required to remove the PICC line. Respondent states that the Thrive RN assigned to the patient also assessed the client for resumption of home care and did not state that she would return to remove this line. Respondent states that when the antibiotics finished after ten days, Respondent removed the PICC line during the night shift. Respondent states that the mistake was inadvertent and there was no patient harm. Respondent states that she has learned for the incident.

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)(D),(1)(G),(1)(N),(1)(P)&(2)(A) 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 Vocational Nurse License Number 337599, heretofore issued to KIMBER LEIGH HARRIS.
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** 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.

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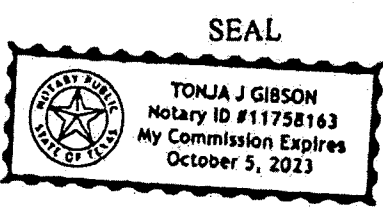
RESPONDENT'S CERTIFICATION

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 29th day of June, 2020.

Kimberle Harris
KIMBER LEIGH HARRIS, RESPONDENT

Sworn to and subscribed before me this 29th day of June, 2020.



Tonja J. Gibson
Notary Public in and for the State of Texas

Approved as to form and substance.
Leanna Marchand
Leanna Marchand, Attorney for Respondent

Signed this 30th day of June, 2020.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 29th day of June, 2020, by KIMBER LEIGH HARRIS, Vocational Nurse License Number 337599, and said Agreed Order is final.

Effective this 18th day of August, 2020.



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