



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

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In the Matter of	§	AGREED ORDER
Registered Nurse License Number 830144	§	
issued to DAWN GALLINI	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DAWN GALLINI, Registered Nurse License Number 830144, 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 August 4, 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 Northern Virginia Community College, Annandale, Virginia, on May 15, 2011. Respondent was licensed to practice professional nursing in the State of Texas on January 24, 2013.
5. Respondent's nursing employment history includes:

1/2013 – 1/2015	Registered Nurse	Parkland Memorial Hospital Dallas, Texas
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Respondent's nursing employment history continued:

1/2015 – 8/2015	Registered Nurse	Pine Creek Medical Center Dallas, Texas
8/2015 – 3/2017	Registered Nurse	Methodist McKinney Hospital McKinney, Texas
3/2017 – 5/2018	Registered Nurse	Baylor Scott & White Medical Center-Frisco Frisco, Texas
6/2018 – Present	Registered Nurse	Baylor Scott & White Health- Centennial Frisco, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Baylor Scott & White Medical Center-Frisco, Frisco, Texas and had been in that position for one (1) month.
7. On or about April 14, 2017, while employed as a Registered Nurse at Baylor Scott & White Medical Center-Frisco, Frisco, Texas, Respondent diluted ordered IV Phenergan with D5LR instead of 10ml of Normal Saline as instructed by the pharmacy. Respondent's conduct exposed the patient to risk for harm from damage to tissues.
8. On or about October 16, 2017, through October 17, 2017, while employed as a Registered Nurse at Baylor Scott & White Medical Center-Frisco, Frisco, Texas, Respondent failed to timely administer Ampicillin 2gm to Patient Medical Record Number F000144314 as ordered by the physician and/or document her request for clarification and/or any clarification she received from the physician regarding administration of the medication.
9. In response to Finding of Fact Number Seven, Respondent states that she administered the Phenergan diluted with the patient's mainline IV fluids, D5LR, instead of normal saline because this was the procedure followed for the administration of IV Phenergan at her previous place of employment. She did not realize that Baylor Scott & White's procedure was different. At the time of the medication administration, her actions were directly supervised by a preceptor, and the preceptor did not instruct her about the facility's protocol. Despite this oversight, the patient timely received the correct dose of medication and her nausea began to subside. There was no harm to the patient.

10. In response to Finding of Fact Eight, Respondent states that the patient was admitted for labor induction on October 16, 2017. The orders included prophylaxis Ampicillin. Respondent then spoke with the physician by telephone who clarified that antibiotics were not to be initiated until 0300 and given together with a second dose of Cytotec. Ms. Gallini documented this clarification on an Orders form, but not in the patient's progress note. The Pyxis scanner was broken so Respondent faxed the form to the pharmacy. Unfortunately, the pharmacy did not update the Ampicillin order in Meditech pursuant to the fax. Instead, the pharmacy discontinued the 2 gm Ampicillin dose. As a result, when Respondent administered Ampicillin at 0323, she was directed to and delivered 1 gm IV as indicated in Meditech. Another nurse later clarified with the physician that the patient was to receive Ampicillin 2 gm for the second dose. The Ampicillin 2 gm IV was given. A healthy infant was delivered on October 17, 2017. The patient received both ordered doses of Ampicillin well in advance of delivery. This documentation oversight was the result of a broken Pyxis scanner and a faxed order not being updated in Meditech by the pharmacy resulting in a discontinued order.

#### 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),
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 830144, heretofore issued to DAWN GALLINI.
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.

## **III. UNDERSTANDING BOARD ORDERS**

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

## **IV. REMEDIAL EDUCATION COURSE(S)**

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft, and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study and video programs will not be approved.
- B. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

## V. **EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future

employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.

- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Indirect Supervision:** While under the terms of this Order, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years of experience in the same or similar practice setting to which the RESPONDENT is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **Incident Reporting while Employed at Baylor Scott & White Medical Center, Frisco, Texas:** While employed at Baylor Scott & White Medical Center, Frisco, Texas, and under the terms of this Order, RESPONDENT SHALL CAUSE her employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office. While employed at Baylor Scott & White Medical Center, Frisco, Texas, and under the terms of this Order, Respondent shall not be required to comply with the requirements of paragraph C of this section. However, should Respondent's employment with Baylor Scott & White Medical Center, Frisco, Texas, cease for any reason, Respondent shall be required to comply with the requirements of paragraph C of this section for the remainder of this Order, if any.
- E. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the RESPONDENT by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of

the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

**VI. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(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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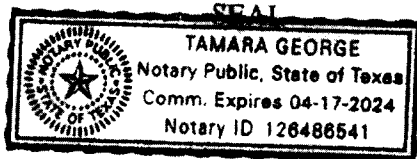
### RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I 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 8 day of August, 2020.

*Dawn Gallini*  
DAWN GALLINI, Respondent

Sworn to and subscribed before me this 8th day of August, 2020.



*Tamara George*  
Notary Public in and for the State of Texas

Approved as to form and substance

*Amanda Ellis*  
Amanda Ellis, Attorney for Respondent

Signed this 12th day of August, 2020.



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8<sup>th</sup> day of August, 2020, by DAWN GALLINI, Registered Nurse License Number 830144, and said Agreed Order is final.

Effective this 8<sup>th</sup> day of September, 2020.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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