



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 909119 §
issued to JASON ALAN FAWCETT §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JASON ALAN FAWCETT, Registered Nurse License Number 909119, 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 July 30, 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 a Baccalaureate Degree in Nursing from Midwestern State University, Wichita Falls, Texas, on August 1, 2016. Respondent was licensed to practice professional nursing in the State of Texas on September 27, 2016.
5. Respondent's nursing employment history includes:

9/2016 – Present	Registered Nurse	North Texas State Hospital Wichita Falls, Texas
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6. At the time of the incident, Respondent was employed as a Registered Nurse with North Texas State Hospital, Wichita Falls, Texas, and had been in that position for three (3) years and four (4) months.
7. On or about January 18, 2020, while employed as a Registered Nurse with North Texas State Hospital, Wichita Falls, Texas, Respondent left his nursing assignment without ensuring another Registered Nurse was available on the unit before he left. Subsequently, Patient TP experienced a fall and staff was left unable to locate another Registered Nurse to attend to the emergent situation. Respondent's conduct exposed patients unnecessarily to risk of harm in that leaving the nursing assignment without ensuring another Registered Nurse was present could have resulted in the patients not getting the care needed.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent explains that received a call from his second shift unit advising him to give report to Psychiatric Nursing Assistant (PNA) in order to leave on time for his next shift. Respondent states that it is his understanding that a nurse cannot relinquish their charge until report is given to the relieving nurse and the nurse has accepted the floor; therefore, he states that he did not follow this advice and chose to give report to the oncoming shift and wait for his relief to arrive. Respondent states that his relief arrived thirty (30) minutes late, and he decided to give her report outside so that he could get to his next unit quickly. Respondent states that he told the PNA's in his vicinity that he was leaving, and as he was exiting he made a deliberate effort to address the Spec and LVN who were down the hall. Respondent states that before he left the unit, Patient TP was observed dancing and laughing in no apparent distress outside of the nurses' station. Respondent states that he offered to escort the oncoming RN to the unit, but she declined. Respondent states that there is nothing that he did or did not do that would have impacted the outcome of this patient. Respondent states that he did step off the floor but he did so leaving a licensed individual on the unit. Respondent states that he had no reason to believe or suspect that the patient was in any danger, and he used his best judgment in an effort to safely transition between his current assignment and his next assignment.
9. Formal Charges were filed on May 21, 2020.

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)(I) 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 909119, heretofore issued to JASON ALAN FAWCETT.
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 **REMEDIAL EDUCATION WITH FINE** 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" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

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.*

V. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five hundred dollars (\$500.00) within forty-five (45) days of the effective date of this Order.**

Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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) 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 becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and a copy will be mailed to me. 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 5th day of Oct, 2020.



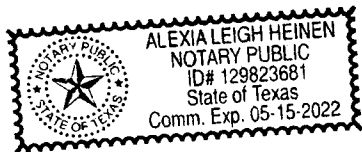
JASON ALAN FAWCETT, RESPONDENT

Sworn to and subscribed before me this 5th day of October, 2020.

SEAL

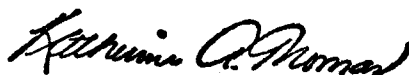


Notary Public in and for the State of _____



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of October, 2020, by JASON ALAN FAWCETT, Registered Nurse License Number 909119, and said Agreed Order is final.

Effective this 9th day of October, 2020.



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