



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 622098 §  
issued to DEBORA ANN DEVANEY §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEBORA ANN DEVANEY, Registered Nurse License Number 622098, 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 6, 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 Diploma in Nursing from Confederation College of Applied Arts and Technology, Thunder Bay, Canada, on December 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on September 5, 1995.
5. Respondent's nursing employment history includes:

9/1995 – 2009                      Unknown

Respondent's nursing employment history continued:

2010	Registered Nurse	Georgia Manor Nursing and Rehabilitation Amarillo, Texas
2010-2011	Registered Nurse	Childer's Place Nursing Home Amarillo, Texas
4/2011-3/2019	Registered Nurse	Texas Tech University Health Sciences Center-Managed Care Amarillo, Texas
4/2019- Present	Unknown	

6. At the time of the incident, Respondent was employed as a Registered Nurse with Texas Tech University Health Sciences Center- Managed Care, Amarillo, Texas, and had been in that position for seven (7) years and ten (10) months.
7. On or about February 10, 2019, while employed as a Registered Nurse with Texas Tech University Health Sciences Center -Managed Care and assigned to the William P. Clements Junior Unit, Amarillo, Texas, and caring for an inmate who presented with chest pain, Respondent failed to properly supervise a Licensed Vocational Nurse who assessed the inmate. Specifically, a Licensed Vocational Nurse assessed the inmate and reported the condition to Respondent, who inappropriately determined that the inmate could leave the clinic and return to his cell. Additionally, Respondent failed to perform and/or document an assessment of the inmate and the reported chest pain in the inmate's medical record. Respondent's conduct was likely to injure the patient from lack of appropriate nursing and medical care.
8. On or about February 10, 2019, while employed as a Registered Nurse with Texas Tech University Health Sciences Center Managed Care and assigned to the William P. Clements Junior Unit, Amarillo, Texas, and caring for an inmate who presented with chest pain, Respondent failed to ensure the proper chest pain protocol was being used; instead a musculoskeletal protocol was used to document the patient's chest pain. Respondent's conduct was likely to injure the patient from delayed diagnosis and treatment of possible cardiac arrest.
9. On or about February 10, 2019, while employed as a Registered Nurse with Texas Tech University Health Sciences Center Managed Care and assigned to the William P. Clements Junior Unit, Amarillo, Texas, and caring for an inmate who presented with chest pain, Respondent failed to obtain an order for an electrocardiogram (EKG) and correctly interpret the EKG. Additionally, Respondent failed to notify the physician of the patient's change in condition and abnormal EKG results. Subsequently, the inmate returned to his cell and approximately thirty-eight (38) minutes later was found unresponsive. Despite

resuscitative efforts, the inmate expired on the unit. Respondent's conduct was likely to injure the patient from lack of appropriate nursing and medical care, including possible demise.

8. In response to the incidents in Finding of Fact Number Seven (7) through Finding of Fact Number Nine (9), Respondent states that she was supervising the shift, including the Licensed Vocational Nurse (LVN). Respondent states that the LVN was called out to a building on the unit for a complaint of "an inmate in distress." Respondent states that according to the LVN, when he arrived the inmate refused care but was ordered by the Sergeant present to go to the infirmary. Respondent states that while the inmate was in the infirmary, he reluctantly allowed his vital signs to be taken and an electrocardiogram (ECG) to be completed, then he became belligerent and refused to allow the LVN to take care of him any further. Respondent states that this was when she went to the triage room to speak to and assess the inmate. Respondent states that he again refused any type of care or treatment. Respondent states that she advised the inmate that his blood pressure was elevated, and his electrocardiogram did not look normal. Respondent states that the inmate became even more agitated and began using threatening language. Respondent states that she told the inmate she would get the refusal forms, but the inmate continued to escalate and the Sergeant did not wait for the inmate to sign the form and escorted him out of the clinic and back to his building. Respondent states that as the inmate had refused care and left the clinic, she did not place a call to the on-call Provider at the time. Respondent states that she was planning on having the inmate seen by a Provider on Monday. Respondent states that shortly after that, they received another call to the same building. Respondent states that the LVN went back out to the building, taking a wheelchair and jump bag, but after he left the clinic another call came over the radio for a gurney, so she then went to the building. Respondent states that it was the same inmate, but he was now unconscious. Respondent states that she took over care on her arrival and placed the automated external defibrillator (AED) pads on the inmate. Respondent states that when the AED was in place, it advised one (1) shock, which was delivered, then cardiopulmonary resuscitation (CPR) was continued as he was taken to the unit clinic. Respondent states that lifesaving measures were provided per the training. Respondent states an ambulance was on the way and they took over when they arrived.

### 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)(M),(1)(P),(1)(S),(1)(U)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(F)&(4).

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 622098, heretofore issued to DEBORA ANN DEVANEY.
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** 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. **A Board-approved course in physical assessment** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include physical assessment of all body systems. The clinical component SHALL include physical assessment of live patients in a clinical setting; Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and

computerized documentation. Home study courses and video programs will not be approved.

- D. **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.
- E. **The course "Professional Accountability,"** a 4.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.
- F. **A Board-approved course in cardiac dysrhythmia recognition** that shall be a minimum of six (6) hours in length. The course's content shall include identification of the normal conduction system of the heart, including anatomy and physiology of the heart and components of the conduction system, normal configurations and implications of abnormal findings of the individual waves and segments of the PQRST, steps of the systematic analysis, identifying dysrhythmias arising from the sinus node, atria AV node and ventricles and their causes, nursing interventions, and documentation. Home study courses and video programs will not be approved.

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 eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) 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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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. **Indirect Supervision:** For the remainder of the stipulation/probation period, 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.

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 eight (8) quarters [two (2) years] 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) 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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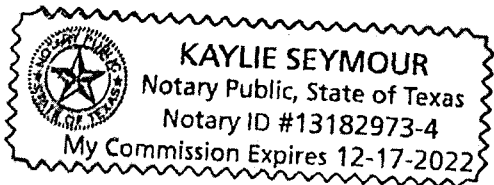
**RESPONDENT'S CERTIFICATION**

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 17<sup>th</sup> day of August, 20 20.  
Debora Ann Devaney  
DEBORA ANN DEVANEY, RESPONDENT

Sworn to and subscribed before me this 17<sup>th</sup> day of August, 20 20.

SEAL



Kaylie Seymour  
Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 17th day of August, 2020, by DEBORA ANN DEVANEY, Registered Nurse License Number 622098, and said Agreed Order is final.

Effective this 22nd day of October, 2020.



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