



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.
Stephanie O'Hanrahan
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 908636	§	
issued to MICHELLE LIST GILLISPIE	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MICHELLE LIST GILLISPIE, Registered Nurse License Number 908636, 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.

An informal conference was conducted on July 7, 2020, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared by telephone. Respondent was represented by Jordan M. Parker, Attorney at Law.

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 Texas Woman's University, Denton, Texas, on August 1, 2016. Respondent was licensed to practice professional nursing in the State of Texas on September 20, 2016.
5. Respondent's nursing employment history includes:

09/2016 – Present	RN	Cook Children's Medical Center Fort Worth, Texas
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6. At the time of the initial incident, Respondent was employed as a Registered Nurse (RN) with Cook Children's Medical Center, Fort Worth, Texas, and had been in that position for one (1) year and seven (7) months.
7. On or about April 24, 2018, while employed as a Registered Nurse (RN) with Cook Children's Medical Center, Fort Worth, Texas, and assigned as a Unit Guide/Preceptor for a new RN, Respondent failed to ensure the physician was notified of the lab results for Patient EP. Respondent's conduct delayed the onset of medical interventions needed to prevent further complications.
8. On or about April 24, 2018, while employed as a Registered Nurse (RN) with Cook Children's Medical Center, Fort Worth, Texas, and assigned as a Unit Guide/Preceptor for a new RN, Respondent failed to educate and counsel Patient EP and her family by communicating all lab results. Respondent's conduct deprived the patient and her family of the opportunity to actively participate in the patient's treatment.
9. On or about April 25, 2018, while employed as a Registered Nurse (RN) with Cook Children's Medical Center, Fort Worth, Texas, and assigned as a Unit Guide/Preceptor for a new RN, Respondent allowed the new RN to administer Tobramycin, a nephrotoxic drug, to Patient EP, who had elevated BUN and creatinine lab results. Respondent's conduct unnecessarily exposed the patient to a risk of harm from complications associated with renal insufficiency and/or toxicity.
10. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that as part of her shift change routine, she reviewed the patient's labs and recognized that her BUN and creatinine levels were abnormally high. Respondent states she was not aware that the labs had not been communicated to the physician during the prior shift when they became available. Respondent also states that as soon as she started her shift, the patient's aunt inquired about the patient's lab results and stated the family was expecting to receive them. Respondent states she thought the family was awaiting new results, not the ones from the prior shift, so she and the new RN told the family they would provide them with results as soon as they were available. Respondent states she had no idea that the family was not made aware of the patient's lab results from the prior shift. Regarding the tobramycin, Respondent states she supervised the new RN when it came time to carry out the physician's order for tobramycin. Respondent states while preparing to administer the medication, the patient's chart displayed a "pop-up" which alerted her and the new RN to the patient's abnormal lab results, including the elevated BUN and creatinine levels. Respondent states she went to her charge nurse and discussed whether to move forward with administration of the medication, and her charge nurse instructed them to continue with the administration of the tobramycin.

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)(F)&(1)(P) 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 Registered Nurse License Number 908636, heretofore issued to MICHELLE LIST GILLISPIE.
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" 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.
- C. **The course "Professional Accountability,"** a 4.6 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. 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. **Incident Reporting:** RESPONDENT SHALL CAUSE each 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.
- D. **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) 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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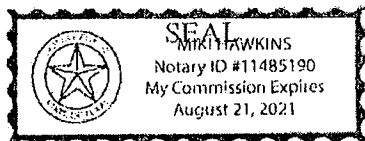
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I 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 5th day of October, 20 20

Michelle List Gillispie
MICHELLE LIST GILLISPIE, RESPONDENT

Sworn to and subscribed before me this 8 day of October, 20 20



[Signature]
Notary Public in and for the State of Texas

Approved as to form and substance.

J. M. P.
Jordan M. Parker, Attorney for Respondent

Signed this 9 day of October, 20 20

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8th day of October, 2020, by MICHELLE LIST GILLISPIE, Registered Nurse License Number 908636, and said Agreed Order is final.

Effective this 10th day of November, 2020.

A handwritten signature in black ink, reading "Katherine A. Thomas". The signature is written in a cursive style with a horizontal line extending from the end of the name.

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