



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
Vocational Nurse License Number 339895	§	FOR
issued to JENNIFER DOLLEY COULTER	§	KSTAR PROGRAM
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JENNIFER DOLLEY COULTER, Vocational Nurse License Number 339895, 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 for KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 8, 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 for KSTAR Program.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Lamar State College, Orange, Texas, on August 1, 2017. Respondent was licensed to practice vocational nursing in the State of Texas on October 3, 2017.

5. Respondent's nursing employment history includes:

10/2017 – 11/2017	Unknown	
11/2017 – 01/2018	Licensed Vocational Nurse	Genesis Healthcare Beaumont, Texas
02/2018 – Present	Unknown	

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Genesis Healthcare, Beaumont, Texas, and on assignment at Clairmont Beaumont, and had been in that position for two (2) months.
7. On or about January 6, 2018, while employed as a Licensed Vocational Nurse with Genesis Healthcare, Beaumont, Texas, and on assignment at Clairmont Beaumont, Respondent charted in the narcotics log an amount used of .25ml of morphine for Patient MH, however, the overall morphine on hand had decreased by 5ml per Respondent's documentation. Respondent's conduct was likely to injure the patient in that the administration of Morphine in excess dosage of the physicians' order could result in the patient suffering from adverse reactions.
8. On or about January 6, 2018, while employed as a Licensed Vocational Nurse with Genesis Healthcare, Beaumont, Texas, Respondent failed to ensure her documentation of a pain assessment, a follow-up assessment of as-needed pain medication's effectiveness, and vital signs taken during the shift saved in the patient's electronic medical chart for patient MH. Additionally, Respondent held scheduled medication for the patient, without documenting that the patient refused the medication. Respondent's conduct resulted in an incomplete medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care decisions.
9. In response to the incident in Finding of Fact Number Seven (7), Respondent states that Patient MH requested pain medication, and Respondent sought counsel from a more experienced nurse before giving it, since this was Respondent's first day working by herself following new employee training. Respondent states that she administered 0.25mL of Morphine, as ordered, with a Certified Nurse Aide (CNA) present, and she documented the same on the paper chart. Respondent states that a Medication Aide confirmed that the dose was correct afterwards. Respondent states that the order was to give 0.25mL by mouth every four (4) hours as needed for pain to equal 5mg per dose. Respondent states that she checked on the patient three (3) more times during her shift and vitals were normal. Respondent states that she documented in two (2) places that she administered the proper dosage of 0.25mL of Morphine, and indicated the same to the oncoming shift nurse. Respondent states that it is unclear why the narcotics log showed a 5mL decrease in Morphine administrations, however, it is possible that someone else did not log administration or remaining medication properly. Respondent states that she and another nurse filled in the amount on hand of 29.25mL from a previous entry, and then measured the remaining volume of 24.25mL, and did not notice the discrepancy. Respondent states

that had she given the unaccounted amount of 4.75, morphine, the patient would have likely experienced overdosing effects long before she was taken to the hospital nine (9) hours later. Respondent further states that given the patient's age of 102, diagnosis of pneumonia, and bilateral metastatic lung cancer, the respiratory rate of 8 is likely unrelated to the Morphine given to her by Respondent.

10. Formal Charges were filed on May 17, 2019.

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)&(2) 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 339895, heretofore issued to JENNIFER DOLLEY COULTER.
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 for KSTAR Program.

III. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, **within one (1) year of the effective date of this Order**, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Program and RESPONDENT SHALL:

- A. **Within forty-five (45) days** following the effective date of this Order, apply to and enroll in the KSTAR Program, including payment of any fees and costs, unless otherwise agreed in writing;
- B. Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;
- C. Follow all requirements within the remediation plan, if any;
- D. Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Program; and
- E. Provide written documentation of successful completion of the KSTAR Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

V. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order for KSTAR Program, 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 action, 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 _____ day of _____, 20____


JENNIFER DOOLLEY (COUNTY) RESPONDENT

Seeman for and Subscribed in front me this 21st day of September, 2020

SEAL

Notary Public in and for the State of _____

Approved as to form and substance _____

Betty Smith, Attorney for Respondent

Signed this _____ day of _____, 20____

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program that was signed on the 21st day of September, 2020, by JENNIFER DOLLEY COULTER, Vocational Nurse License Number 339895, and said Agreed Order for KSTAR Program 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 underneath it.

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