



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  
Vocational Nurse License Number 150941 §  
issued to BARRY MICHAEL GRANGER §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BARRY MICHAEL GRANGER, Vocational Nurse License Number 150941, 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 September 28, 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 vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Lamar State College, Port Arthur, Texas, on December 16, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on January 19, 1995.
5. Respondent's nursing employment history is unknown.
6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Texas Home Health, and had been in that position for fourteen (14) years and ten (10) months.

7. On or about July 21, 2019, while employed as a Home Health Nurse with Texas Home Health, Beaumont, Texas, and providing care for the left hip surgical incision of Patient Medical Record Number 11400048583601, Respondent failed to notify his supervisors and/or the physician of the lack of physician orders after the surgeon placed a wound vacuum drain. Respondent's conduct was likely to injure the patient from lack of medical treatment for wound vacuum drain.
8. On or about July 21, 2019, while employed as a Home Health Nurse with Texas Home Health, Beaumont, Texas, and providing care for the left hip surgical incision of Patient Medical Record Number 11400048583601, Respondent inappropriately removed the wound vacuum drain, and applied a wet-to-dry packing dressing, without physician orders, and also failed to follow standard precautions, by not washing his hands during the dressing change. Respondent's conduct was likely to injure the patient from lack of medical treatment for wound vacuum drain.
9. On or about July 21, 2019, while employed as a Home Health Nurse with Texas Home Health, Beaumont, Texas, and providing care for the left hip surgical incision of Patient Medical Record Number 11400048583601, Respondent failed to notify supervisors and physician that he had removed the wound vacuum drain and applied a wet-to-dry packing dressing. Respondent's conduct was likely to injure the patient from care provided without the benefit of knowledge and expertise from the appropriate licensed personnel.
10. On or about July 21, 2019, while employed as a Home Health Nurse with Texas Home Health, Beaumont, Texas, and providing care for the left hip surgical incision of Patient Medical Record Number 11400048583601, Respondent failed to document that he removed the wound vacuum drain, and applied a wet-to-dry packing dressing. Respondent's conduct resulted in an inaccurate medical record upon which other caregivers would rely to provide patient care.
11. On or about July 21, 2019, while employed as a Home Health Nurse with Texas Home Health, Beaumont, Texas, and providing care for the left hip surgical incision of Patient Medical Record Number 11400048583601, Respondent failed to appropriately assess and document an assessment of the patient's wound, including taking measurements of the wound. Respondent's conduct was likely to injure the patient from lack of appropriate wound care and also resulted in an inaccurate medical record upon which other caregivers would rely to provide patient care.
12. Formal Charges were filed on January 17, 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)(C),(1)(D),(1)(M),(1)(O),(1)(P),&(2)(A) 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 150941, heretofore issued to BARRY MICHAEL GRANGER.
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** and RESPONDENT'S license(s) shall be placed in **INACTIVE** status.

Should RESPONDENT decide in the future to reactivate his/her license(s) to practice nursing in the State of Texas, RESPONDENT SHALL be required to petition the Board for reactivation of the license and satisfy all then existing requirements for reactivation. Further, RESPONDENT'S reactivated license(s) SHALL BE subject to, at a minimum, the remedial education courses, work restrictions, supervised practice, and employer reporting which would have been requirements of this Order had RESPONDENT not chosen to inactivate his/her nursing license(s).

Until such time that RESPONDENT'S license(s) to practice nursing in the State of Texas is/are reactivated, RESPONDENT SHALL NOT use a Privilege to Practice Nursing in the State of Texas from any Nurse License Compact member state.

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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. I further understand that, should I decide in the future to reactivate my license(s), I will be required to satisfy, at a minimum, the additional requirements that would have been part of this Order had the license(s) not been placed in inactive status, as stated herein, as well as all then existing requirements for reactivation.

Signed this 7 day of Oct., 2020.  
Barry Michael Granger  
BARRY MICHAEL GRANGER, RESPONDENT

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 2<sup>nd</sup> day of October, 2020, by BARRY MICHAEL GRANGER, Vocational Nurse License Number 150941, and said Agreed Order is final.

Effective this 10<sup>th</sup> 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