



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 795621	§	
issued to JOY SYLVIA STEPHENSON	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JOY SYLVIA STEPHENSON, Registered Nurse License Number 795621, 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 November 13, 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 Centennial College of Applied Arts & Technology, Toronto, Ontario, on August 22, 1997. Respondent was licensed to practice professional nursing in the State of Arizona on February 11, 1998, and was licensed to practice professional nursing in the State of Texas on January 24, 2011.
5. Respondent's nursing employment history includes:

2/1998-9/2004	Unknown
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Respondent's nursing employment history continued:

10/2004-7/2015	Travel Nurse	All About Staffing/Parallon Sunrise, Florida
9/2006-9/2007	Staff Nurse	Ocala Regional Medical Center Ocala, Florida
7/2008-5/2009	Staff Nurse	Shands at University Florida Gainesville, Florida
9/2011-2/2012	Staff Nurse	Kindred LTAC Houston, Texas
10/2011-5/2012	Staff Nurse	Houston Orthopedic & Spine Bellaire, Texas
7/2013-5/2018	Registered Nurse	Harris Health System-LBJ Hospital Houston, Texas
6/2018-4/2019	Travel Nurse	Health Trust Work Force Solutions Sunrise, Florida
5/2019-Present	Registered Nurse	Aveanna Healthcare Houston, Texas
5/2019-Present	Registered Nurse	Faith and Care Home Health Hempstead, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Harris Health System-LBJ Hospital, Houston, Texas, and had been in that position for five (5) years and seven (7) months.
7. On or about February 17, 2019, while employed as a Registered Nurse with Harris Health System-LBJ Hospital, Houston, Texas, Respondent failed to monitor telemetry Patient Medical Record Number 047303702 while in magnetic resonance imaging (MRI) holding, and left the patient unattended. Subsequently, while waiting for the MRI, the patient became unresponsive with a weak pulse and labored breathing, and started bleeding from her dialysis fistula site; a Rapid Response Team and then Code Blue were called, though resuscitation was unsuccessful, and the patient expired. Respondent's conduct was likely to injure the patient in that significant changes in the patient's status may have gone undetected and prevented a timely intervention.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the patient had a rapid response called at the start of the shift for a change in condition, and was taken emergently to get a computerized tomography (CT) scan for evaluation of a stroke. Respondent states that the CT did not show signs of stroke and she was returned to the medical floor, still classified as a medical patient. Respondent states that after rounding on her other patients, this patient's family called again, and the patient had a facial droop and fixed eyes at that time. Respondent states that she called the medical internist and demanded that they come evaluate the patient again; the doctor stated he did not see a difference in the patient between the rapid response and now, but ordered a STAT MRI upon Respondent's insistence and panic. Respondent states that at that time, she was running a blood infusion for another patient, but rushed this patient down to the MRI. Respondent states that once they arrived in MRI, she was informed there would be a 10-minute wait. Respondent states that the patient remained on the telemetry box while waiting in her hospital bed. Respondent states that the patient had been stable, aside from the facial droop and not verbalizing, with unlabored breathing, and her fistula dressing was dry and intact. Respondent adds that she recognized the urgency of the situation but was concerned about her other patients that she had left on the unit. With the agreement of the MRI technician, Respondent states that she ran upstairs to check on her patient receiving blood and was gone about 5 minutes. Respondent states that she received a call from the MRI technician reporting that the patient looked different, and when Respondent ran downstairs, she found the patient unresponsive. Respondent states the patient's appearance had completely changed, with ashen appearance and labored breathing. The patient had a bradycardic and weak pulse, and she told the MRI tech to call a rapid response; the patient then lost their pulse and she said to call a code blue. When the patient was turned to place a backboard to do compressions, Respondent states that she then saw blood on the patient's fistula site. Respondent adds that in retrospect, the MRI tech's approval should not have validated her departure from this patient's side, and in hindsight, she deeply regrets her failure to trust her coworkers to help with her other patients. Respondent states that she failed to anticipate the worse possible scenario of her patient spontaneously and instantly bleeding, due to her struggle to manage so many patients with so little support.

#### 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)(M)&(3)(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 Registered Nurse License Number 795621, heretofore issued to JOY SYLVIA STEPHENSON.

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. **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](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. **Incident Reporting:** While employed as a Registered Nurse with Aveanna Healthcare, Houston, Texas, and with Faith and Care Home Health, Hempstead, Texas, 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. **Direct Supervision:** Should Respondent's employment as a Registered Nurse with Aveanna Healthcare, Houston, Texas, and with Faith and Care Home Health, Hempstead, Texas, cease or change, the following terms apply: 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.

E. **Indirect Supervision:** Should Respondent's employment as a Registered Nurse with Aveanna Healthcare, Houston, Texas, and with Faith and Care Home Health, Hempstead, Texas, cease or change, the following terms apply: 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.

F. **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 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 14 day of November, 2020.

*Joy Stephenson*

JOY SYLVIA STEPHENSON, RESPONDENT

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

SEAL

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

Approved as to form and substance.

YJA

11/15/2020

\_\_\_\_\_  
Yong J. An, Attorney for Respondent

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 14th day of November, 2020, by JOY SYLVIA STEPHENSON, Registered Nurse License Number 795621, and said Agreed Order is final.

Effective this 8th day of December, 2020.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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