



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  
Advanced Practice Registered Nurse License §  
Number AP122109 with Prescription §  
Authorization Number 12760 §  
& Registered Nurse License Number 620238 §  
issued to KAREN MITCHELL §

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KAREN MITCHELL, Advanced Practice Registered Nurse License Number AP122109 with Prescription Authorization Number 12760, and Registered Nurse License Number 620238, 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)(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 December 10, 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. Respondent's license to practice as an advanced practice registered nurse in the State of Texas with authorization as a Psychiatric/Mental Health Nurse Practitioner is in current status with Prescription Authorization Number 12760 in current status.
4. Respondent received a Baccalaureate Degree in Nursing from The University of Mississippi School of Nursing, Jackson, Mississippi, on May 26, 1974. Respondent completed a Psychiatric/Mental Health Nurse Practitioner Program from University of

Texas Health Science Center, San Antonio, Texas, on May 26, 2012. Respondent was licensed to practice professional nursing in the State of Texas on July 14, 1995. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Psychiatric/Mental Health Nurse Practitioner on July 16, 2012. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Psychiatric/Mental Health Nurse Practitioner with Prescription Authorization on July 16, 2012.

5. Respondent's nursing employment history includes:

7/1995 – 8/2003	Unknown	
8/2003 – 2/2008	Registered Nurse	The Mission School of New Mexico Albuquerque, New Mexico
3/2008 – 3/2009	Registered Nurse	Laurel Ridge Treatment Center San Antonio, Texas
4/2009 – 8/2010	Registered Nurse	Laurel Ridge Treatment Center at High Point San Antonio, Texas
9/2010 – 3/2012	Registered Nurse	Clarity Child Guidance Center San Antonio, Texas
4/2012 – 8/2012	Registered Nurse Psychiatric Emergency Services	University Hospital San Antonio, Texas
9/2012 – 5/2014	Psychiatric-Mental Health Nurse Practitioner	University Hospital San Antonio, Texas
6/2014 – 3/2015	Psychiatric-Mental Health Nurse Practitioner	CommuniCare Oxford, Mississippi
3/2015 – 10/2016	Psychiatric-Mental Health Nurse Practitioner	CommuniCare Health Center Kyle, Texas
11/2016 – 3/2017	Psychiatric-Mental Health Nurse Practitioner	iKARE Mood Trauma Recovery Clinic San Antonio, Texas
4/2017 – 8/2017	Psychiatric-Mental Health Nurse Practitioner	Urgent Behavioral Health Care San Antonio, Texas

Respondent's nursing employment history continued:

9/2017 – 3/2018	Psychiatric-Mental Health Nurse Practitioner	MedOptions Austin, Texas
4/2018 – 12/2019	Psychiatric-Mental Health Nurse Practitioner	Hill Country MHDD Centers Kerrville, Texas
1/2020 – Present	Psychiatric-Mental Health Nurse Practitioner	Dr. Paul Whitelock, MD San Marcos, Texas

6. At the time of the initial incident, Respondent was employed as a Psychiatric-Mental Health Nurse Practitioner with Hill Country MHDD Centers, Kerrville, Texas, and had been in that position for one (1) year.
7. On or about April 15, 2019 through December 11, 2019, while employed as a Psychiatric-Mental Health Nurse Practitioner with Hill Country MHDD Centers, Kerrville, Texas, Respondent failed to complete one hundred seventy-eight (178) notes for patients under her care. Respondent's conduct resulted in an incomplete medical record and was likely to injure the patient in that subsequent care givers would not have complete information on which to base their care decisions.
8. In response to Finding of Fact Number Seven (7), Respondent denies incomplete notes, and states she did not sign off on charts because it would close the chart and she was waiting for a review for additional information to be completed. Respondent cites several mitigating circumstances. Respondent states she was working at three clinics for this organization, there were technological issues, she had a heavy patient load, her supervising psychiatrist reduced their hours starting in June 2019, and she had taken on other nurse responsibilities in April 2019 when support was unavailable. Respondent also cites personal health issues that complicated her ability to practice.

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(1)(A),(1)(B)&(1)(D) TEX. ADMIN. CODE §217.12.(1)(A),(1)(B),(1)(C)&(4)

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP122109 with Prescription Authorization Number 12760, and Registered Nurse License Number 620238, heretofore issued to KAREN MITCHELL.
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 **REMEDIAL EDUCATION WITH FINE** 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. **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.
- C. **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. MONETARY FINE**

RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of the effective date of this Order.

Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

**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 becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and a copy will be mailed to me. 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 31<sup>st</sup> day of March, 2021.

Karen Mitchell

Sworn to and subscribed before me this 31<sup>st</sup> day of March, 2021.

SEAL

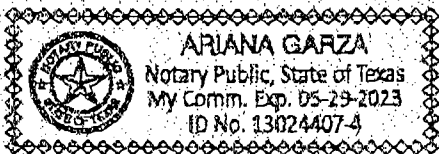
Ariana Garza

Notary Public in and for the State of TEXAS

Approved as to form and substance.


Taralynn R. Mackay  
Taralynn Mackay, Attorney for Respondent

Signed this 31<sup>st</sup> day of March, 2021.



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 31st day of March, 2021, by KAREN MITCHELL, Advanced Practice Registered Nurse License Number AP122109, and Registered Nurse License Number 620238, and said Agreed Order is final.

Effective this 1st day of April, 2021.



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