



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.
Michelle O'Hanrahan
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Vocational Nurse License Number 309094 §
issued to CANDACE A. BALLI §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CANDACE A. BALLI, Vocational Nurse License Number 309094, 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.

An informal conference was conducted on February 2, 2021, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared by telephone.

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 Galen College of Nursing, San Antonio, Texas, on June 25, 2012. Respondent was licensed to practice vocational nursing in the State of Texas on August 30, 2012.
5. Respondent's nursing employment history includes:

| | |
|-----------------|---------|
| 8/2012 – 1/2013 | Unknown |
|-----------------|---------|

Respondent's nursing employment history continued:

| | | |
|------------------|---------------------------------------------|-----------------------------------------------------|
| 1/2013 – 5/2019 | Licensed Vocational Nurse | MA Medical Services San Antonio, Texas |
| 2/2017 – 5/2019 | Licensed Vocational Nurse | Aveanna Health Care San Antonio, Texas |
| 3/2018 – 5/2019 | Licensed Vocational Nurse Home Health Nurse | Thrive Skilled Pediatric Care San Antonio, Texas |
| 5/2018 – 5/2019 | Licensed Vocational Nurse | Ability Home Care San Antonio |
| 5/2019 – Present | Unknown | |

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse working as a Home Health Nurse with Thrive Skilled Pediatric Care, San Antonio, Texas, and had been in that position for six (6) months.
7. On or about September 2, 2018, and on or about September 9, 2018, while employed as a Vocational Nurse, working as a Home Health Nurse with Thrive Skilled Pediatric Care, Austin, Texas, and providing care for Patient Medical Record Number SAN8400-PDN, a nine-year-old tracheostomy dependent patient, Respondent failed to document that she notified the physician of heart rate persistently outside normal parameters. Respondent's conduct was likely to injure the patient from lack of medical treatment for vital signs out of normal range.
8. In response to Finding of Fact Number Seven (7), Respondent reports on Sunday, September 9, 2018, that she provided tracheal suction numerous times to keep the patient's airway open, and the patient's parameters would fluctuate within normal range to including outside of normal range. Respondent reports she called her supervisor who instructed her to call the patient's doctor. Respondent reports she called the doctor's office and left a message. Respondent also reports that she gave report to the patient's night nurse, and asked her to also please relay the message to the patient's regular day nurse on Monday at shift change.

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. evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B),(1)(D)&(3)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 309094, heretofore issued to CANDACE A. BALLI.
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** 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.*

V. 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 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 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.

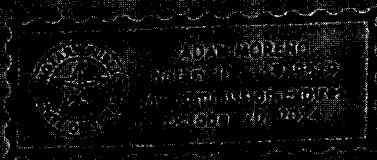
Signed this 5th day of April, 2021.

ABC
CANDACE A. BALLI, RESPONDENT

Sworn to and subscribed before me this 5 day of April, 2021.

Adrian Moreno

Notary Public in and for the State of TEXAS



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 5th day of April, 2021, by CANDACE A. BALLI, Vocational Nurse License Number 309094, and said Agreed Order is final.

Effective this 14th day of April, 2021.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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