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*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 784614	§	FOR
& Vocational Nurse License Number 221302	§	DEFERRED DISCIPLINE &
issued to MICHELLE D WEBBCORBEIL	§	KSTAR PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MICHELLE D WEBBCORBEIL, Registered Nurse License Number 784614, and Vocational Nurse License Number 221302, 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 Deferred Discipline & KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 16, 2021.

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 Deferred Discipline & KSTAR Program.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Baptist Health System, San Antonio, Texas, on December 18, 2008. Respondent received an Associate Degree in Nursing from Baptist Health System, San Antonio, Texas, on April 29, 2010. Respondent was licensed to practice vocational nursing in the State of Texas on April 2, 2009. Respondent was licensed to practice professional nursing in the State of Texas on May 25, 2010.

5. Respondent's nursing employment history includes:

4/2009 – 5/2010	LVN	Baptist Health System San Antonio, Texas
6/2010 – 2/2012	RN	Baptist Health System San Antonio, Texas
2/2012 – 4/2020	RN	Southwest General Hospital San Antonio, Texas
2/2019 – 2/2021	RN	Mission Trail Baptist Hospital San Antonio, Texas
12/2020 – 1/2021	RN	Angel Staffing/Christus Santa Rosa San Antonio, Texas
3/2021 – Present	RN	La Diferencia Hospice/Gonzaba Medical Group, San Antonio, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Southwest General Hospital, San Antonio, Texas, and had been in that position for eight (8) years and one (1) month.
7. On or about March 29, 2020, while employed as a Registered Nurse (RN) in the Intensive Care Unit (ICU) at Southwest General Hospital, San Antonio, Texas, Respondent withheld phenobarbital and valproic acid for Patient Number 1202016356 [RR], which were ordered to be administered to the patient via nasogastric/orogastric tube (NGT/OGT), and failed to consult and/or collaborate with the physician for a new route or verification to continue or discontinue the medications after the NGT/OGT was removed. As a result, Patient RR missed two (2) doses of phenobarbital and one (1) dose of valproic acid during her shift, and the patient experienced increased seizure activity on the following shift. Respondent's conduct unnecessarily exposed the patient to increased seizures.
8. In response to Finding of Fact Number Seven (7), Respondent states when this patient was due for his afternoon doses of phenobarbital and valproic acid, she found him to still be too lethargic to swallow the medication. Respondent states that due to his existing aspiration pneumonia, she did not believe it would be safe for him to take any medication by mouth. Respondent states she made a mental note to ask the intensivist for alternate orders so she could administer the patient's medication via IV, but admits she became busy with other patients and forgot to get new orders prior to the end of her shift.

## 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)(P) 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 784614, and Vocational Nurse License Number 221302, heretofore issued to MICHELLE D WEBBCORBEIL.
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, DEFERRED**, 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 Deferred Discipline & KSTAR Program.

Further, RESPONDENT SHALL not commit any violation of the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* **for a period of three (3) years from the date of this Order.**

## 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. EFFECT OF DEFERRED DISCIPLINE**

**Upon successful completion of the stipulated requirements of this Agreed Order for Deferred Discipline & KSTAR Program,** all encumbrances will be removed from RESPONDENT'S license(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.

**Upon the successful completion of the required three (3) year period of deferral,** the complaint or complaints which formed the basis for this action will be dismissed and this Order will be made confidential to the same extent as a complaint filed under Section 301.466, Texas Occupations Code.

Until such time that this Order is made confidential, this Order is subject to disclosure in accordance with applicable law.

Should an additional allegation, complaint, accusation, or petition be reported or filed against RESPONDENT prior to the time this Order is made confidential, the deferral period shall be extended until the allegation, accusation, or petition has been finally acted upon by the Board.

Should RESPONDENT commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action.

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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 15<sup>th</sup> day of March, 2021.

Michelle D Webb Corbeil  
MICHELLE D WEBBCORBEIL, 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.

Betty Smith  
Betty Smith, Attorney for Respondent

Signed this 17<sup>th</sup> day of March, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for Deferred Discipline & KSTAR Program that was signed on the 15th day of March, 2021, by MICHELLE D WEBBCORBEIL, Registered Nurse License Number 784614, and Vocational Nurse License Number 221302, and said Agreed Order for Deferred Discipline & KSTAR Program is final.

Effective this 22nd day of April, 2021.



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