

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 954266	§	
& Vocational Nurse License Number 322661	§	
issued to WESLEY ROMANS	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of WESLEY ROMANS, Registered Nurse License Number 954266, and Vocational Nurse License Number 322661, 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 December 4, 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 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 Grayson County College, Denison, Texas, on August 1, 2014. Respondent received an Associate Degree in Nursing from Paris Junior College, Paris, Texas, on August 16, 2018. Respondent was licensed to practice vocational nursing in the State of Texas on October 2, 2014. Respondent was licensed to practice professional nursing in the State of Texas on September 26, 2018.

5. Respondent's nursing employment history includes:

10/2014 – 12/2014	Unknown	
1/2015- Present	Licensed Vocational Nurse	Angels of Care Sherman, Texas
10/2017 – 10/2018	Licensed Vocational Nurse	Building Hope Medical Staffing Fort Worth, Texas
9/2018 – Present	Registered Nurse	Woodlands Place Rehabilitation Denison, Texas
10/2019- 1/2020	Registered Nurse	Texoma Medical Center Denison, Texas

6. At the time of the incidents, Respondent was employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, and had been in that position for three (3) months.
7. On or about December 28, 2019, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, Respondent failed to notify the physician that Patient Medical Record Number 29077435 had a change in condition in that the patient's blood pressure dropped from 130/60 to 79/59 and the patient's oxygen saturation was ninety (90) percent. Additionally, Respondent failed to reassess and/or document a reassessment of the patient after discovering the abnormal vital signs. Respondent's conduct was likely to injure the patient from delayed treatment.
8. On or about December 30, 2019, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, Respondent falsely documented that he performed a tone and strength assessment for Patient Medical Record Number 29011913. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient from subsequent care decisions made without the benefit of reliable information.
9. On or about December 31, 2019, through January 1, 2020, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, Respondent falsely documented in the medical records for Patient Medical Record Number 29101300 and Patient Medical Record Number 29096690 that he had educated the patients on medications and side effects. Subsequently, when questioned, Respondent admitted that he did not perform the education. Respondent then documented in the patients' medical records that he did not complete the education that he previously documented. Respondent's conduct resulted in incorrect medical records.

10. In response to the incident in Finding of Fact Number Seven (7), Respondent states that once he received the low blood pressure result from the aide, he took notice to the change immediately. Respondent states that when the aide handed him the vital results, he had just come out of the patient's room five (5) minutes prior. Respondent states that he and the patient was conversing and the patient was walking around the room asymptomatic, and not in any distress. Respondent states that later his preceptor came to him and brought to his attention the change in blood pressure. Respondent states that he informed the preceptor that he had seen it and that he could see from where he was that the patient was walking around in his room. Respondent states that he informed his preceptor that he would get an additional set of vitals on the patient right away. Respondent states that they were going to call the physician but, he and the preceptor looked at the chart and saw a trend that the blood pressure dropped at night. Respondent states that he cannot remember the patient's follow up blood pressure, but the patient did not need any interventions. Respondent states that he continued to monitor the patient throughout the night. In response to the incident in Finding of Fact Number Eight (8), Respondent states that on the Tone and Strength area there are boxes to click from his evaluation as a nurse of the patient's strength. Respondent states that he could see the patient's strength while he was in the room. Respondent states that he clicked the wrong box indicating that the patient was not as strong or as weak as the preceptor had predicted. Respondent states that they discussed the strengths and weaknesses in great detail. Respondent states that he even went into the room and reassessed the patient so that the preceptor knew he was trying his best to provide the best care he could. In response to the incident in Finding of Fact Number Nine (9), Respondent states that it is true that he did not teach the patient the side effects of medication, but he did tell the patient what the medication was for. Respondent states that the patient was not alert and not orientated. Respondent states that he administered the medication telling the patient that the medication was for pain. Respondent states that at the end of the shift he charted, with his preceptor next to him, that he taught the patient side effects of the medication. Respondent states that as soon as he clicked the button, his preceptor asked if he taught the side effects of the medication. Respondent states that he did not want to lie, so he said no. Respondent explained that he did tell the patient it was for pain. Respondent states that during his training, he was told that he had to pick at least one box and he could not skip over it. Respondent states that the preceptor instructed him to cancel what he entered and to enter a note that he falsely documented, so he did as the preceptor asked.

11. Formal Charges were filed on April 24, 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)(F)&(3) and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A)&(6)(H).
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 954266, and Vocational Nurse License Number 322661, heretofore issued to WESLEY ROMANS.
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" 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 physical assessment** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include physical assessment of all body systems. The clinical component SHALL include physical assessment of live patients in a clinical setting; Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.

- C. **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.
- D. **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. **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. **Indirect Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, 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.
- D. **Incident Reporting:** For the remainder of the stipulation/probation period, 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.
- E. **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 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.

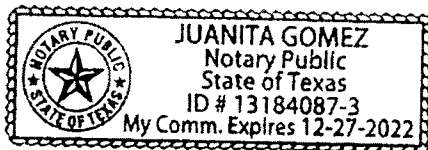
Signed this 29th day of March, 20 21.

Wesley Romans
WESLEY ROMANS, RESPONDENT

Sworn to and subscribed before me this 29th day of March, 20 21.

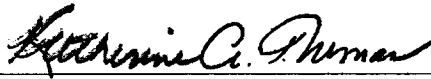
SEAL

Juanita Gomez
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 29th day of March, 2021, by WESLEY ROMANS, Registered Nurse License Number 954266, and Vocational Nurse License Number 322661, and said Agreed Order is final.

Effective this 11th day of May, 2021.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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