

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 810219	§	
issued to PATRICK TIEMEYER	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PATRICK TIEMEYER, Registered Nurse License Number 810219, 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 March 8, 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.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Brookhaven College, Farmers Branch, Texas, on May 14, 2009. Respondent was licensed to practice professional nursing in the State of Texas on November 8, 2011.
5. Respondent's nursing employment history includes:

11/2011 – 01/2012	Unknown	
02/2012 – 09/2012	RN Case Manager	New Century Hospice Dallas, Texas

Respondent's nursing employment history continued:

09/2012 – 12/2013	RN – Med/Surg, Telemetry	Dallas Medical Center Dallas, Texas
01/2014 – 02/2015	RN – Med/Surg	Texas Health Presbyterian Hospital Dallas, Texas
02/2015 – 08/2015	RN – ER	Christus Spohn Hospital Alice, Texas
08/2015 – 12/2015	RN – ER	North Hills Hospital Dallas, Texas
01/2016 – 02/2016	Unknown	
03/2016 – 06/2017	RN – ER	Walnut Hill Medical Center Dallas, Texas
07/2017 – 07/2017	Unknown	
08/2017 – 07/2019	RN – ER	Baylor Scott & White Medical Center Plano, Texas
07/2019 – 04/2020	RN – ER	UT Southwestern Medical Center Dallas, Texas
04/2020 – Present	Agency RN	AMN Healthcare Coppell, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with UT Southwestern Medical Center, Dallas, Texas, and had been in that position for five (5) months.
7. On or about December 19, 2020, while employed as a Registered Nurse (RN) in the Emergency Department (ED) of UT Southwestern Medical Center, Dallas, Texas, Respondent removed 4mg of Morphine from the medication dispensing system for Patient Number 72853200 [DL] at 2256, but failed to document the administration of the Morphine in the patient's medication administration record and/or nurse's notes. Additionally, Respondent failed to follow the facility's policy and procedure for wastage of the unused portion of the medication. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient, which could result in an overdose. Additionally, Respondent's conduct left medications

unaccounted for, was likely to deceive the hospital pharmacy, and placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

8. On or about January 28, 2020, while employed as a Registered Nurse (RN) in the Emergency Department (ED) of UT Southwestern Medical Center, Dallas, Texas, Respondent failed accurately follow the CIWA-Ar Protocol for Patient Number 92416503 [CM], who was receiving treatment for alcohol detox, by failing to assess the respiratory rate of the patient from 1040 until the end of his shift (1900). Respondent's conduct created an incomplete medical record and unnecessarily exposed the patient to a risk of harm from undetected changes in respiratory rate.
9. On or about January 28, 2020, while employed as a Registered Nurse (RN) in the Emergency Department (ED) of UT Southwestern Medical Center, Dallas, Texas, Respondent falsely documented that he administered lactated ringers to Patient Number 72748603 [JT] at 1750 in that there is not an associated pull in the medication dispensing system for the date and time of the documented administration. Respondent's conduct was deceptive, created an inaccurate medical record, and was likely to injure the patient in that subsequent care givers would not have accurate information to base their decisions for future medical care.
10. On or about January 28, 2020, while employed as a Registered Nurse (RN) in the Emergency Department (ED) of UT Southwestern Medical Center, Dallas, Texas, Respondent administered IV Zosyn, which was ordered to be given "NOW" at 1328 for the treatment of cholecystitis, to Patient Number 70699283 [VB] at 1448. The RN Team Lead pulled the Zosyn for Respondent at 1350. Respondent's conduct unnecessarily delayed the onset of antibiotic therapy for the patient.
11. On or about February 14, 2020, while employed as a Registered Nurse (RN) in the Emergency Department (ED) of UT Southwestern Medical Center, Dallas, Texas, Respondent failed to document the reason for not administering Lokelma to Patient Number 94850617 [JN], in the patient's medication administration record (MAR) and/or nurse's notes. Additionally, Respondent failed to notify the RN who assumed care of his patient for lunch coverage. Respondent's conduct created an incomplete medical record, and was likely to injure the patient in that subsequent care givers did not have accurate and incomplete information to base their decisions for future medical care.
12. On or about March 20, 2020, while employed as a Registered Nurse (RN) in the Emergency Department (ED) of UT Southwestern Medical Center, Dallas, Texas, Respondent created a hostile work environment by slamming his hand on the nurse manager's desk, throwing his work phone across the room, raising his voice, and using profanity after he was confronted about allegations of sleeping while on duty. Respondent's conduct created an unsafe environment.
13. In response to Findings of Fact Numbers Seven (7) through Twelve (12), regarding Patient DL, Respondent states he has no recollection of any notification of this alleged misconduct

by his employer. Regarding Patient CM, Respondent states he remembers, to the best of his knowledge, documenting the patient's respiratory rates. Regarding Patient JT, Respondent states he was never notified of the alleged misconduct and was never reprimanded. Regarding Patient JN, Respondent does not address his lack of documentation. Regarding his conduct, Respondent admits he responded out of character when confronted about the sleeping allegation, but claims his actions did not rise to the level of a hostile work environment. Respondent adds that he had been experiencing increased anxiety due to frequent calls to his manager's office for non-patient related concerns.

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)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(F),(6)(H),(10)(B),(10)(C)&(11)(B).
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 810219, heretofore issued to PATRICK TIEMEYER.
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 AND 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 medication administration** 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: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. 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 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.
- D. **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.
- E. **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.

- F. **The course "Professional Accountability,"** a 4.6 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. **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. **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. **Direct Supervision:** 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.
- D. **Indirect Supervision:** 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.
- 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.

VII. 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 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.

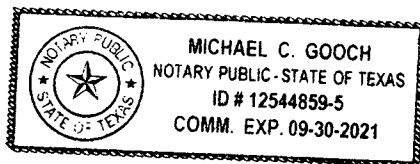
Signed this 5 day of April, 2021.



PATRICK TIEMEYER, RESPONDENT

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

SEAL



Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of April, 2021, by PATRICK TIEMEYER, Registered Nurse License Number 810219, 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". The signature is written in a cursive style with a horizontal line underneath it.

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