

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 233698	§	
issued to PEGGY JEANNE WENDT	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PEGGY JEANNE WENDT, Registered Nurse License Number 233698, 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 29, 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 Grayson County College, Denison, Texas, on July 1, 1975. Respondent was licensed to practice professional nursing in the State of Texas on August 6, 1975.
5. Respondent's nursing employment history includes:

8/1975 – 1991	Unknown	
1992 – 2004	Registered Nurse	HCA Community Hospital Sherman, Texas

Respondent's nursing employment history continued:

2003 – 2006	Registered Nurse	First Texas Home Health
2006 - Unknown	Registered Nurse	Medical Center McKinney, Texas
5/2010 – 12/2019	Registered Nurse	Baylor Scott & White Medical Center Frisco, Texas
1/2020 – Present	Not employed in nursing	

6. On or about December 13, 2011, Respondent was issued the sanction of Reprimand with Stipulations through an Order of the Board. On or about December 13, 2013, Respondent successfully completed the terms of the Order. A copy of the December 13, 2011, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the initial incident, Respondent was employed as a Registered Nurse with Baylor Scott & White Medical Center, Frisco, Texas, and had been in that position for one (1) year and ten (10) months.
8. On or about March 13, 2012, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent failed to administer Fluarix (Influenza vaccine) to Patient Medical Record Number F000070196 at discharge as ordered by the provider. Respondent's conduct exposed the patient to a risk for influenza infection.
9. On or about November 5, 2012, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent failed to administer Fluarix (Influenza vaccine) to Patient Medical Record Number F000070196 at discharge as ordered by the provider. Respondent's conduct exposed the patient to a risk for influenza infection.
10. On or about May 31, 2015, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent failed to follow the physician's order when she administered Norco 10/325mg to Patient Medical Record Number F000085546 in a three (3) hour span instead of every four (4) hours as ordered. Afterwards, Respondent called the physician and obtained an order for Norco 10/325mg "now" to cover dose given too soon. Respondent's conduct exposed the patient to risk for adverse effects from Norco given in excess frequency.
11. On or about November 7, 2016, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent failed to administer Methergine 0.2mg at 1930 and 2330 to the Patient Medical Record Number F000207016 as ordered by the physician for post-partum bleeding. Instead, Respondent administered a dose at 0214 on

November 8, 2016. Subsequently, Respondent notified the physician and received an order at 0234 to administer Methergine at 0600 and 1000. Respondent's conduct was likely to harm the patient from ineffective treatment of post-partum bleeding.

12. On or about June 17, 2017, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent failed to administer 800mg of Motrin (Ibuprofen) to Patient Medical Record Number F000176140 at 0400 as ordered by the physician. Respondent's conduct was likely to harm the patient from ineffective treatment.
13. On or about June 17, 2017, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent administered 800mg of Motrin to the Patient Medical Record Number F000215377 at 0341 instead of at 0600 as scheduled. Respondent's conduct exposed the patient to risk for adverse effects from Motrin (Ibuprofen) given in excess frequency of physician's order.
14. On or about August 10, 2017, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent failed to waste the remaining 2.1ml of Fentanyl 10mcg/ml/1% Bupivacaine after the epidural of Patient Medical Record Number F000214649 was discontinued. Respondent's conduct placed the facility in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
15. On or about November 12, 2018 through November 13, 2018, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent failed to monitor hourly urine output and perform a straight catheterization when Patient Medical Record Number F000237467 was unable to void as ordered by the physician. In addition, Respondent failed to notify the physician when the patient was unable to void. Instead, Respondent reported the issue to the next shift. Subsequently, the oncoming nurse notified the physician and catheterized the patient resulting in urine output of 1200ml. Respondent's conduct was likely to injure the patient from complications of retained urine including pain, bladder dysfunction, and incontinence.
16. On or about November 6, 2019 through November 7, 2019, while employed as a Registered Nurse by Baylor Scott & White Medical Center, Frisco, Texas, Respondent failed to appropriately assess, measure and document the post-partum blood loss of Patient Medical Record Number F000248111 during her shift. Subsequently, the patient passed a large clot and had a hemoglobin/hematocrit level of 7.7/23 at the start of the next shift which necessitated an intravenous infusion of Tranexamic Acid (TXA). Respondent's conduct was likely to harm the patient from complications of an undetected post-partum hemorrhage and delayed the onset of needed medical interventions.
17. In response to Findings of Fact Numbers Eight (8) through Fifteen (15), Respondent states, the incidents were not done on purpose and the facility continued her employment and gave her positive yearly reviews and merit increases. In response to Finding of Fact Number Sixteen (16), Respondent states she accompanied the patient to the bathroom and if she had

noticed a large amount of bleeding she would have intervened. Respondent states she had orthopedic medical problems and is now retired and on disability.

18. Respondent by her signature expresses her desire to voluntarily surrender the licenses.

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)(M)&(3)(A) and 22 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)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 233698, heretofore issued to PEGGY JEANNE WENDT.
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

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 233698 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.

3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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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 26 day of May, 2021.

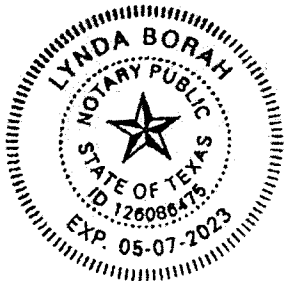
Peggy Jeanne Wendt
PEGGY JEANNE WENDT, RESPONDENT

Sworn to and subscribed before me this 26th day of May, 2021.

SEAL

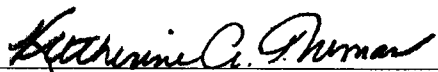
Lynda Borah

Notary Public in and for the State of _____



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 26th day of May 2021, by PEGGY JEANNE WENDT, Registered Nurse License Number 233698, and said Agreed Order is final.

Effective this 1st day of June, 2021.



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

In the Matter of
Registered Nurse License Number 233698
issued to PEGGY JEANNE WENDT

§ BEFORE THE TEXAS
§
§ BOARD OF NURSING



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

NUNC PRO TUNC ORDER OF THE BOARD

TO: Peggy Jeanne Wendt
c/o Ken Braxton, Attorney at Law
8440 Walnut Hill Lane, Suite 830
Dallas, Texas 75231

On December 13, 2011, an Agreed Order for Peggy Jeanne Wendt was entered by the Texas Board of Nursing (Board). However, the Order contains misspellings of Ms. Wendt's name. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Board, after review and due consideration of the record and the facts therein, invalidates the Agreed Order for Peggy Jeanne Wendt that is dated December 13, 2011, and submits and enters the corrected Order of the Board, which corrects the spelling of her name. No other changes have been made to the Order. Ms. Wendt has received due process regarding her license; therefore, her rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Agreed Order is hereby approved and entered on the dates set forth below.

Order effective December 13, 2011.

Entered this 1st day of March, 2012.

TEXAS BOARD OF NURSING

BY:

KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR, ON BEHALF OF THE BOARD

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 233698 §
issued to PEGGY JEANNE WENDT § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PEGGY JEANNE WENDT, Registered Nurse License Number 233698, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 30, 2011, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Grayson County College on July 1, 1975. Respondent was licensed to practice professional nursing in the State of Texas on August 6, 1975.
5. Respondent's nursing employment history includes:

7/1975 - 1991 Unknown

1992 - 2004 Staff RN/Clinical Coordinator HCA Community Hospital Of
Shermin, McKinney, Texas

Respondent's nursing employment history continued:

2003 - 2006	Home Health Nurse	First Texas Home Health Sherman, Texas
4/05 - 1/07	Staff RN/Clinical Supervisor	Medical Center of McKinney McKinney, Texas
2/07 - 8/08	Unknown	
9/08 - 4/10	Staff RN/Clinical Supervisor	Medical Center of McKinney McKinney, Texas
5/10 - Present	RN	Baylor Medical Center at Frisco, Frisco, Texas

6. At the time of the initial incident, Respondent was employed as a Charge Nurse with Medical Center of McKinney, McKinney, Texas, and had been in this position for one (1) year and seven (7) months.
7. On or about March 27, 2010 while working as a Labor and Delivery Charge Nurse at Medical Center McKinney, McKinney, Texas, and assisting with the care of Patient Medical Record Number 426409, a high risk 24-week obstetric patient who was involved in a motor vehicle collision (MVC), Respondent was unable to monitor the Fetal Heart Tones (FHT) by external monitor or doppler as ordered by the emergency room physician and instructed the assigned nurse to provide the obstetric physician with this information. When the patient arrived in the Emergency Room, the Respondent was requested to assist in the assessment of the FHT's. Respondent was unable to obtain FHT's using the External Fetal Monitor (EFM) or doppler. The Emergency Room Physician ordered an ultrasound which revealed a 23-week fetus with FHT's in the 120's. The Physician ordered the patient to be transferred to Labor and Delivery and Fetal Heart Monitoring (FHM). Respondent assisted the assigned nurse with the admission and failed to follow policy and procedure to ensure that FHM was carried out by the assigned nurse. Respondent's conduct deprived the patient of early detection and intervention which may have contributed to the demise of the fetus.
8. On or about March 27, 2010 while working as a Labor and Delivery Charge Nurse at Medical Center McKinney, McKinney, Texas, Respondent instructed the assigned nurse responsible for patient Medical Record Number 426409, to falsify physician's orders for FHM every shift instead of continuously and to notify the physician to continue with orders for FHM every shift until further order from the physician. Respondent's conduct was deceptive and deprived the patient of early detection and intervention which may have contributed to the demise of the fetus.
9. On or about March 27, 2010 while working as a Labor and Delivery Charge Nurse at Medical Center McKinney, McKinney, Texas, Respondent failed to ensure that the nurse assigned to care for Patient Medical Record Number 426409 notified the physician that the patient was experiencing vaginal bleeding. The primary nurse discovered the patient was

- bleeding when she assisted the patient to the restroom to obtain a requested urine specimen. Respondent's conduct deprived the physician of vital and essential information to institute timely medical intervention, which may have contributed to the demise of the fetus.
10. On or about March 27, 2010 while working as a Labor and Delivery Charge Nurse at Medical Center McKinney, McKinney, Texas, Respondent failed to notify the physician that Patient Medical Record Number 426409 reported she had absence of fetal movement since the motor vehicle accident (MVA) even though Respondent assisted the assigned nurse with the admission to Labor and Delivery. Additionally the assigned nurse had documented that Patient Medical Record Number 426409 had stated she hadn't felt the baby move since the MVA and documented that Respondent had assisted with the admission. Respondent states the patient felt the baby move and stated such in the emergency room. The Ultrasound technician noted positive fetal movement in the emergency room and reported it to the emergency room physician. Respondent's conduct deprived the physician of vital and essential information to institute timely medical intervention, which may have contributed to the fetus demise.
 11. In Response to Finding of Facts numbers Seven (7) through Ten (10), Respondent denies failing to follow the emergency room physician's order for fetal heart monitoring on Patient Medical Record Number 426409. Respondent was unable to obtain FHT's with the external fetal monitor or doppler. Respondent assumed the assigned Labor and Delivery room nurse was obtaining the FHT's by using a doppler. In Response to Finding of Fact Number Eight (8), Respondent denies falsifying physician's orders for FHT every shift. Respondent suggested to the assigned nurse to follow hospital policy concerning FHM. In response to Finding of Fact Number Nine (9), Respondent states she didn't learn of the patient's vaginal bleeding until later when the patient went to the bathroom. In response to Finding of Fact Number Ten (10), The on-call physician had reports from the primary nurse and the ultrasound technician along with the ability to review the fetal monitoring through Air Strip from her location.
 12. Formal Charges were filed were filed April 29, 2011.
 13. Hearing before the Texas Board of Nursing Eligibility and disciplinary Committee - Petitioner failed to appear and /or respond to the charges filed against her license and her license was REVOKED by default at this hearing on August 9, 2011.
 14. Motion for Rehearing was filed by Petitioner on August 18, 2011.
 15. Motion for Rehearing GRANTED by Katherine A. Thomas, MN, RN, Executive Director, on August 19, 2011.
 16. Order issued GRANTING the Motion for Rehearing thereby removing the Revoked status and placing Permanent Certificate No. 233698 in CURRENT status on August 19, 2011.

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 of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D)&(1)(M) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(D),(4)&(6)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 233698, heretofore issued to PEGGY JEANNE WENDT, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS AND A FINE, and RESPONDENT SHALL comply in all respects with 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.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. 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. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any

other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: 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. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://learningext.com/hives/a0f6f3e8a0/summary>.*

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

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future

employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) RESPONDENT SHALL be supervised by a Registered 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 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.

(9) 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 Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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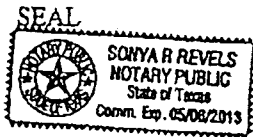
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 Board. When this Order is ratified, the terms of this Order become effective, 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 20th day of October, 20 11.

Peggy Jeanne Wendt
PEGGY JEANNE WENDT, Respondent

Sworn to and subscribed before me this 20th day of October, 20 11.



SRR
Notary Public in and for the State of Texas

Approved as to form and substance.

Kenneth W. Braxton
Kenneth W. Braxton, Attorney for Respondent

Signed this 25th day of October, 20 11.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of October, 2011, by PEGGY JEANNE WENDT, Registered Nurse License Number 233698, and said Order is final.

Effective this 13th day of December, 2011.

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 233698 §
issued to PEGGY JEAN WENDT § ORDER

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Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 30, 2011, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Grayson County College on July 1, 1975. Respondent was licensed to practice professional nursing in the State of Texas on August 6, 1975.
5. Respondent's nursing employment history includes:

7/1975 - 1991 Unknown

1992 - 2004 Staff RN/Clinical Coordinator HCA Community Hospital Of
Shermin, McKinney, Texas

Respondent's nursing employment history continued:

2003 - 2006	Home Health Nurse	First Texas Home Health Sherman, Texas
4/05 - 1/07	Staff RN/Clinical Supervisor	Medical Center of McKinney McKinney, Texas
2/07 - 8/08	Unknown	
9/08 - 4/10	Staff RN/Clinical Supervisor	Medical Center of McKinney McKinney, Texas
5/10 - Present	RN	Baylor Medical Center at Frisco, Frisco, Texas

6. At the time of the initial incident, Respondent was employed as a Charge Nurse with Medical Center of McKinney, McKinney, Texas, and had been in this position for one (1) year and seven (7) months.
7. On or about March 27, 2010 while working as a Labor and Delivery Charge Nurse at Medical Center McKinney, McKinney, Texas, and assisting with the care of Patient Medical Record Number 426409, a high risk 24-week obstetric patient who was involved in a motor vehicle collision (MVC). Respondent was unable to monitor the Fetal Heart Tones (FHT) by external monitor or doppler as ordered by the emergency room physician and instructed the assigned nurse to provide the obstetric physician with this information. When the patient arrived in the Emergency Room, the Respondent was requested to assist in the assessment of the FHT's. Respondent was unable to obtain FHT's using the External Fetal Monitor (EFM) or doppler. The Emergency Room Physician ordered an ultrasound which revealed a 23-week fetus with FHT's in the 120's. The Physician ordered the patient to be transferred to Labor and Delivery and Fetal Heart Monitoring (FHM). Respondent assisted the assigned nurse with the admission and failed to follow policy and procedure to ensure that FHM was carried out by the assigned nurse. Respondent's conduct deprived the patient of early detection and intervention which may have contributed to the demise of the fetus.
8. On or about March 27, 2010 while working as a Labor and Delivery Charge Nurse at Medical Center McKinney, McKinney, Texas, Respondent instructed the assigned nurse responsible for patient Medical Record Number 426409, to falsify physician's orders for FHM every shift instead of continuously and to notify the physician to continue with orders for FHM every shift until further order from the physician. Respondent's conduct was deceptive and deprived the patient of early detection and intervention which may have contributed to the demise of the fetus.
9. On or about March 27, 2010 while working as a Labor and Delivery Charge Nurse at Medical Center McKinney, McKinney, Texas, Respondent failed to ensure that the nurse assigned to care for Patient Medical Record Number 426409 notified the physician that the patient was experiencing vaginal bleeding. The primary nurse discovered the patient was

- bleeding when she assisted the patient to the restroom to obtain a requested urine specimen. Respondent's conduct deprived the physician of vital and essential information to institute timely medical intervention, which may have contributed to the demise of the fetus.
10. On or about March 27, 2010 while working as a Labor and Delivery Charge Nurse at Medical Center McKinney, McKinney, Texas, Respondent failed to notify the physician that Patient Medical Record Number 426409 reported she had absence of fetal movement since the motor vehicle accident (MVA) even though Respondent assisted the assigned nurse with the admission to Labor and Delivery. Additionally the assigned nurse had documented that Patient Medical Record Number 426409 had stated she hadn't felt the baby move since the MVA and documented that Respondent had assisted with the admission. Respondent states the patient felt the baby move and stated such in the emergency room. The Ultrasound technician noted positive fetal movement in the emergency room and reported it to the emergency room physician. Respondent's conduct deprived the physician of vital and essential information to institute timely medical intervention, which may have contributed to the fetus demise.
 11. In Response to Finding of Facts numbers Seven (7) through Ten (10), Respondent denies failing to follow the emergency room physician's order for fetal heart monitoring on Patient Medical Record Number 426409. Respondent was unable to obtain FHT's with the external fetal monitor or doppler. Respondent assumed the assigned Labor and Delivery room nurse was obtaining the FHT's by using a doppler. In Response to Finding of Fact Number Eight (8), Respondent denies falsifying physician's orders for FHT every shift. Respondent suggested to the assigned nurse to follow hospital policy concerning FHM. In response to Finding of Fact Number Nine (9), Respondent states she didn't learn of the patient's vaginal bleeding until later when the patient went to the bathroom. In response to Finding of Fact Number Ten (10), The on-call physician had reports from the primary nurse and the ultrasound technician along with the ability to review the fetal monitoring through Air Strip from her location.
 12. Formal Charges were filed were filed April 29, 2011.
 13. Hearing before the Texas Board of Nursing Eligibility and disciplinary Committee - Petitioner failed to appear and /or respond to the charges filed against her license and her license was REVOKED by default at this hearing on August 9, 2011.
 14. Motion for Rehearing was filed by Petitioner on August 18, 2011.
 15. Motion for Rehearing GRANTED by Katherine A. Thomas, MN, RN, Executive Director, on August 19, 2011.
 16. Order issued GRANTING the Motion for Rehearing thereby removing the Revoked status and placing Permanent Certificate No. 233698 in CURRENT status on August 19, 2011.

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 of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D)&(1)(M) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(D),(4)&(6)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 233698, heretofore issued to PEGGY JEANNE WENDT, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS AND A FINE, and RESPONDENT SHALL comply in all respects with 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.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. 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. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any

other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: 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. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://learningext.com/hives/a0f6f3e8a0/summary>.*

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

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future

employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) RESPONDENT SHALL be supervised by a Registered 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 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.

(9) 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 Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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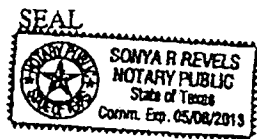
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 Board. When this Order is ratified, the terms of this Order become effective, 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 20th day of October, 2011.

Peggy Jeanne Wendt
PEGGY JEANNE WENDT, Respondent

Sworn to and subscribed before me this 20th day of October, 2011.



SRR
Notary Public in and for the State of Texas

Approved as to form and substance.

Kenneth W. Braxton
Kenneth W. Braxton, Attorney for Respondent

Signed this 25th day of October, 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of October, 2011, by PEGGY JEAN WENDT, Registered Nurse License Number 233698, and said Order is final.

Effective this 13th day of December, 2011.

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