

# BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Registered Nurse License Number 893186	§	
issued to TIFFANY TRAN	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TIFFANY TRAN, Registered Nurse License Number 893186, 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 May 11, 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 San Jacinto College, Pasadena, Texas, on December 13, 2015. Respondent was licensed to practice professional nursing in the State of Texas on January 28, 2016.
5. Respondent's nursing employment history includes:

2/2016 - Present	RN	St. Joseph Medical Center Houston, Texas
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6. At the time of the incident, Respondent was employed as a Registered Nurse with St. Joseph Medical Center, Houston, and had been in that position for four (4) years and eleven (11) months.
7. On or about January 20, 2021, while employed as a Registered Nurse with St. Joseph Medical Center, Houston, Texas, Respondent posted protected health information regarding a patient and his family to a social media webpage. Additionally, Respondent posted a photo of the patient to the social media webpage, after the patient was discharged, without authorization from the patient's family and/or responsible party. Respondent's conduct exposed the patient unnecessarily to a risk of harm from disclosure of their confidential medical information without their written authorization and constitutes a violation of HIPAA (The Health Insurance Portability and Accountability Act).
8. In response to Finding of Fact Number Seven (7), Respondent states on the day of discharge, the patient's mother asked her to take a picture with the baby using mother's cell phone. Respondent states she agreed and asked the patient's mother if she could also have a photo on Respondent's cell phone. The mother replied 'yes' and Respondent asked if she could post the photo to a social media account. The mother replied 'yes' and Respondent admits she posted the photo to her social media account after her shift. Respondent acknowledges her error and states she has permanently deleted the photo posted on her personal media page as well as from her cell phone.
9. On or about February 11, 2021, Respondent successfully completed a Board approved class in 'Patient Privacy,' which would have been a requirement of this Order.

#### 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)(E) 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 893186, heretofore issued to TIFFANY TRAN.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

#### TERMS OF ORDER

**I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

**II. COMPLIANCE WITH LAW**

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order.

**III. UNDERSTANDING BOARD ORDERS**

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

**IV. REMEDIAL EDUCATION COURSE(S)**

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft, and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study and video programs will not be approved.
- B. **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](http://www.bon.texas.gov/compliance).*

**V. RESTORATION OF UNENCUMBERED LICENSE(S)**

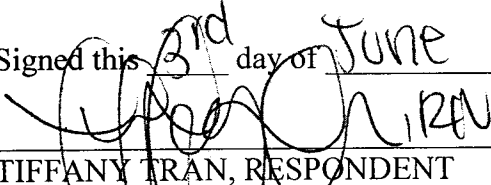
Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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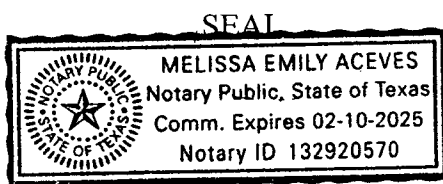
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**RESPONDENT'S CERTIFICATION**

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 3<sup>rd</sup> day of June, 2021.  
  
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TIFFANY TRAN, RESPONDENT

Sworn to and subscribed before me this 3 day of June, 2021.



Melissa Aceves  
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Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 3rd day of June, 2021, by TIFFANY TRAN, Registered Nurse License Number 893186, and said Agreed Order is final.

Effective this 16th day of June, 2021.

A handwritten signature in black ink, reading "Katherine A. Thomas". The signature is written in a cursive style with a horizontal line underneath.

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