



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

BEFORE THE TEXAS BOARD OF NURSING

| | | |
|----------------------------------------|---|--------------|
| In the Matter of | § | AGREED ORDER |
| Vocational Nurse License Number 171093 | § | |
| issued to AMANDA GAIL MCKEE | § | |
| | § | |

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of AMANDA GAIL MCKEE, Vocational Nurse License Number 171093, 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 August 20, 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 current status.
4. Respondent received a Certificate in Vocational Nursing from South Plains College at Reese Center, Lubbock, Texas, on December 18, 1998. Respondent was licensed to practice vocational nursing in the State of Texas on February 11, 1999.
5. Respondent's nursing employment history includes:

| | |
|------------------|---------|
| 2/1999 – 11/2004 | Unknown |
|------------------|---------|

Respondent's nursing employment history continued:

| | | |
|-----------------|---------------------------|-------------------------------------|
| 12/2004-12/2019 | Licensed Vocational Nurse | Texas Home Health Lubbock, Texas |
| 1/2020-Present | Unknown | |

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Texas Home Health, Lubbock, Texas, and had been in that position for fifteen (15) years.
7. On or about December 1, 2019, while employed as a Licensed Vocational Nurse with Texas Home Health, Lubbock, Texas, Respondent failed to timely notify the physician of a change in condition and obtain orders for Patient RG, before performing wound care on the patient. Respondent described the wound as excoriated in her nursing notes and noted that the patient had dark urine in his Foley bag. Additionally, Respondent failed to timely document the wound care and her attempt to notify the patient's physician in her visit notes. Subsequently, there was no documentation that the Respondent attempted to notify her supervisor or the patient's physician of the change in condition. The patient was admitted to the hospital three (3) days later with a stage four (4) pressure injury and a urinary tract infection. Respondent's conduct prevented the physician from being informed about the patient's wound and urinary status and exposed the patient to risk of infection.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she received a call from the patient's assisted living facility that the entire buttocks region was bleeding. Respondent states that she notified the clinical supervisor, who instructed her to perform the skilled nursing visit on the patient. Respondent states that she cleansed the patient's entire bottom area several times with soap and water. Respondent reports that during the assessment, the entire bottom and scrotum were noted to be very excoriated and red, with the appearance of a diaper rash. Respondent reports that the buttock on each side of the gluteal fold had a couple of areas that were seeping serous fluid and there were no observable open areas. Respondent states that she cleansed the area one final time with soap and water and then dried with a clean towel. Respondent states that after drying, she applied a sterile foam dressing to the two (2) areas that appeared to be weeping, and to off load pressure, then secured with tape. Respondent states that she also applied corona cream to exposed bottom area because that had previously been prescribed. Respondent states that she instructed assisted living staff to keep the patient clean and dry, apply skin barrier multiple times daily. Respondent states that the physician's office was closed, so she used standard protocol to care for the patient by cleaning excoriated area and applying dressing, then reported to her supervisor and the physician as soon as possible. Respondent states that at the time of the visit, she did not plan on performing wound care and just happened to have a package of foam and tape in her nursing bag at the time. Respondent states that the patient continued to deny any other signs or symptoms of infection, uncontrolled pain, or other issues at this time. Respondent states that she noted urine drops on the Foley catheter tubing and in continuous drainage urinary bag were dark in color. Respondent

states that there was no observable odor. Respondent states that she instructed on the signs and symptoms of urinary tract infections, and staff denied any issues at that time and they verbalized understanding. Respondent states that on Monday, she placed a call to the physician's office to notify him of the findings and obtain orders for the care she provided, as well as instructions to give the assisted living staff. Respondent states that she left a detailed message with the receptionist as the nurse and physician were unavailable.

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)(N),(1)(P)&(2)(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 Vocational Nurse License Number 171093, heretofore issued to AMANDA GAIL MCKEE.
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 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.
- C. **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.
- D. **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. 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.

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

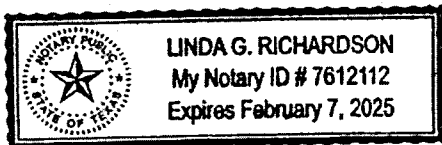
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, 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 11th day of May, 2021.
Amanda Gail McKee
AMANDA GAIL MCKEE, RESPONDENT

Sworn to and subscribed before me this 11th day of May, 2021.

SEAL

Linda G. Richardson
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 11th day of May, 2021, by AMANDA GAIL MCKEE, Vocational Nurse License Number 171093, and said Agreed Order is final.

Effective this 22nd day of July, 2021.

A handwritten signature in black ink, reading "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

Courses Approved to Meet BON Stipulations

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| Texas Board of Nursing Phone: 512-305-6844 Email: workshops@bon.texas.gov Website: https://www.bon.texas.gov/catalog/ Course offered at various times and locations in Texas | Jurisprudence and Ethics (Protecting Your Patients and Your Practice) |
| A & P Healthcare Training, LLC Carolyn D. Perry, BSN, RN, CRRN, RAC-CT, CDP, CADDCT, 8204 Elmbrook Drive, Suite 112, Dallas, TX 75247 Phone: 214-708-8878 Email: cperry@aandphealthcaretraining.com Website: www.aandphealthcaretraining.com/ Courses offered at various times in Carrollton and the Dallas-Fort Worth Metroplex | Jurisprudence and Ethics Nursing Documentation Medication Administration Physical Assessment |
| A Professional Healthcare Education Service, Inc. Yvette Cheeks, RN, MSN, 3727 Greenbriar, # 403, Stafford, TX 77477 Phone: 877-313-7437 (toll free) or 281-313-7437 Email: phes@windstream.net Website: www.phesonline.com Courses offered at various times in Houston, Dallas, San Antonio, San Marcos, and Texarkana | Jurisprudence and Ethics Nursing Documentation Medication Administration Physical Assessment Pharmacology |
| ACE Nursing Education Services Rachel M. Lozano, MSN, RN, 609 Drummer Boy, El Paso, TX 79932 Phone: 915-204-6733 Email: acenurseed@gmail.com Website: www.acenursingeducation.com | Jurisprudence and Ethics |
| AMES HIGH - A Continuing Education Company Dierdre D. Rockeymoore, MSN, RN, PMHCNS-BC, CNSPMH, PO Box 691175, San Antonio, TX 78269-1175 Phone: 210-694-0625 Email: ameshigh01@gmail.com Website: www.ameshigh.com Courses offered at various times in San Antonio | Jurisprudence and Ethics Nursing Documentation Medication Administration |
| A N G Felicia Edoghotu, RN, MSN, MHA, P.O. Box 270161, Dallas, TX 75227 Phone: 469-744-6246 Email: associatednursesgroup@yahoo.com Website: www.angcares.com Courses offered at various times in Dallas, Tyler, Ft. Worth, and Houston | Jurisprudence and Ethics Nursing Documentation Medication Administration Physical Assessment |
| CPR Stat of Texas Laurie Foley, RN, MSN, CEN, 6335 Camp Bullis Rd, STE 35B, San Antonio, TX 78257 Phone: 832-647-1003 Email: cprstatof texas@yahoo.com Website: www.cprstat-tx.com Courses offered at various times in Houston and San Antonio | Jurisprudence and Ethics Nursing Documentation Medication Administration Physical Assessment |
| JMA - Nursing Consultant Jeanette Anderson, RN, MSN, PO Box 24971, Fort Worth, TX 76124-1971 Phone: 817-845-1937 Email: jmanc101@sbcglobal.net Website: www.jmanursingconsultant.com | Jurisprudence and Ethics Nursing Documentation |
| Lolly Lockhart, PhD, RN, Health Care Consultant Lolly Lockhart, PhD, RN, 3520 Killingsworth Lane, Pflugerville, TX 78660 Email: Lollylock@gmail.com Course offered in Central Texas | Jurisprudence and Ethics |
| San Antonio Nursing Education Associates, LLC Felecia Washington, MBA, MSN, RN, APRN, 1777 NE Loop 410, STE 600, San Antonio, TX 78217 Phone: 210-678-3080 or 210-781-9489 Email: info@satxnea.com Website: www.satxnea.com | Jurisprudence and Ethics Nursing Documentation |
| Texas Education Healthcare Service Darlene Johnson, MSN, RN, P.O. Box 16775, Fort Worth, TX 76162 Phone: 682-256-4123 Email: darlene.johnson@texasedhealth.org Website: www.texasedhealth.org Courses offered at various times in Fort Worth | Medication Administration Nursing Documentation |
| National Council of State Boards of Nursing (NCSBN) Learning Extension Website: https://learningext.com/#/catalog | Delegating Effectively Patient Privacy Respecting Professional Boundaries Sharpening Critical Thinking Skills |
| Texas Health and Human Services Website: https://apps.hhs.texas.gov/providers/Training/jointtraining.cfm Website: https://apps.hhs.texas.gov/providers/hcssa/cbt/index.html | How to be a Successful DON in a Texas Nursing Facility Pre-Survey Conference Computer-Based Training |

Please refer to the Board's website (https://www.bon.texas.gov/discipline_and_complaints_courses.asp#t0) for current additional information.

TEXAS BOARD OF NURSING
333 Guadalupe Street, Suite 3-460, Austin, Texas 78701

NOTIFICATION OF EMPLOYMENT INFORMATION

Please be informed that the following information relates to the monitoring of your compliance with the enclosed Board Order:

- I. The effective date of the Order is the date the Order was ratified by the Board and can be located on the Executive Director's signature page contained in your Order.
- II. Any required courses must be completed within the time frame specified in your Order regardless of whether your license is in delinquent or current status.
- III. Notification of Employment Forms
 - A Notification of Employment form is enclosed for you to have your employer complete and submit to this office if you are required to cause your employer to submit periodic reports.
 - Notification of Employment forms are to be used by employers who employ you as a nurse in the State of Texas and cannot be accepted prior to the effective date of the order.
 - It is your responsibility to ensure your employer has been provided a copy of your Order and the appropriate personnel at your place of employment have been notified of your Order.
 - If you are currently employed as a nurse, your employer must submit the Notification of Employment form within ten (10) days of when you received the enclosed Board Order.
 - If you are not currently employed as a nurse, your employer must submit the Notification of Employment form within five (5) days of your becoming employed as a nurse.
 - If you change employers during the term of your Order, your employer must submit the Notification of Employment form within five (5) days of your new employment as a nurse.
- IV. Report Forms
 - We will send your first set of report forms to be used to document your compliance with the stipulations of your Board Order once we receive your completed Notification of Employment form. Each report form will indicate the date on which it must be received in the Board's office.
 - It is your responsibility to ensure each required report is mailed to the Board's office before its due date. Please be aware that reports received more than two (2) weeks prior to their due date will NOT be accepted and that all reports, except for Support Group attendance logs, must be submitted directly from the individual completing the report.
 - Only reports verifying your compliance with your stipulations during periods of time in which you are employed as a nurse are credited toward meeting the requirements of your Order.

You will be responsible for compliance with the Order of the Board without further notice from our office. Be aware that any failure to comply with the terms of the Order may result in another investigation and possible further disciplinary action being taken against your license (including possible revocation of your license) due to your non-compliance. Review the enclosed Board Order carefully. If you have any questions, please call (512) 305-6838.

TEXAS BOARD OF NURSING
333 Guadalupe Street, Suite 3-460, Austin, Texas 78701
(512) 305-6838 Fax: (512) 305-6870

NOTIFICATION OF EMPLOYMENT FORM

This form cannot be accepted prior to the effective date of the Order.

Regarding: Amanda Gail Mckee
License Number(s): LVN 171093

(Name of Facility) _____, which is a

(Type of Facility) _____ in the position of

(Position) _____ since the date of (Date) _____.

I have received a complete copy of the Order of the Board/Agreed Order and am aware of the stipulations placed on this license by the Texas Board of Nursing. **I agree to notify the Board's office and provide information to the Board regarding this nurse's resignation or termination.**

Supervisor's Signature: _____ **Date:** _____

Printed Name and Title: _____

Facility Name and Address: _____

Telephone #: _____

If the Board's Order requires that the nurse cause his/her employer to submit a periodic Nursing Performance Evaluation, and that Evaluation will be signed by someone other than the above Supervisor, please list that individual's name and title below.

Name: _____

Title: _____

Please call (512) 305-6838 with any questions.