

# BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Advanced Practice Registered Nurse License	§	
Number AP116471 with Prescription	§	
Authorization Number 8234	§	
& Registered Nurse License Number 748666	§	
issued to JANE EVA SINGER		

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JANE EVA SINGER, Advanced Practice Registered Nurse License Number AP116471 with Prescription Authorization Number 8234, and Registered Nurse License Number 748666, 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 April 5, 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. Respondent's license to practice as an advanced practice registered nurse in the State of Texas with authorization as a Certified Nurse Midwife is in current status with Prescription Authorization Number in current status.
4. Respondent received a Baccalaureate Degree in Nursing from University of Wisconsin, Oshkosh, Wisconsin, on January 22, 1993. Respondent completed a Nurse Midwife Program from Marquette University, Milwaukee, Wisconsin, on May 1, 2003. Respondent

was licensed to practice professional nursing in the State of Texas on November 28, 2007. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Nurse Midwife on December 3, 2007. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Certified Nurse Midwife with Prescription Authorization on December 3, 2007.

5. Respondent's nursing employment history includes:

8/1994 – 8/2003	Registered Nurse	St. Mary's Hospital Green Bay, Wisconsin
9/2003 – 7/2007	Nurse Midwife	Prevea Clinic Green Bay, Wisconsin
8/2007 – 12/2007	Unknown	
1/2008 – 4/2010	Nurse Midwife	Women's Health Alliance at Baylor Medical Center Dallas, Texas
5/2010 – 12/2010	Unknown	
1/2011 – 10/2012	Lactation Consultant	Parkland Hospital Dallas, Texas
10/2012 – 2/2014	Nurse Midwife	Fort Worth Perinatal Associates Fort Worth, Texas
3/2014 – 7/2014	Nurse Midwife	Flower Mound Women's Care Flower Mound, Texas
8/2014 – 9/2014	Unknown	
10/2014 – 5/2017	Nurse Midwife	Fort Worth Perinatal Associates Fort Worth, Texas
6/2017 – 9/2018	Nurse Midwife	Women's Integral Healthcare Grapevine, Texas
10/2018	Unknown	
11/2018 – Present	Nurse Midwife	Dr. Deleon's Woman's Healthcare Rowlett, Texas

6. At the time of the incident, Respondent was employed as a Nurse Midwife with Women's Integral Healthcare, Grapevine, Texas, and had been in that position for eleven (11) months.
7. On or about May 8, 2018 through May 23, 2018, while employed as a Nurse Midwife by Women's Integrated Healthcare, Grapevine, Texas, Respondent failed to accurately diagnose and intervene for Patient NG who had abnormal results on a Papanicolaou (PAP) test which showed atypical glandular cells of undetermined significance. Instead, Respondent sent an electronic message to Patient NG that the results were normal. Subsequently, the patient was diagnosed with Stage 3 cervical cancer June 2020, and review of past PAP results indicated the abnormal results in May 2018. Respondent's conduct was likely to injure the patient from a potential delay in necessary medical treatment.

### 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)(M),(1)(P)&(4)(A) 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 Advanced Practice Registered Nurse License Number AP116471 with Prescription Authorization Number 8234, and Registered Nurse License Number 748666, heretofore issued to JANE EVA SINGER.
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, subject to ratification by the Texas Board of Nursing, that Advanced Practice Registered Nurse License Number AP116471 with Prescription Authorization Number 8234, and Registered Nurse License Number

748666, previously issued to JANE EVA SINGER, to practice nursing in the State of Texas is/are hereby **SUSPENDED** and said suspension is **STAYED** and RESPONDENT is hereby placed on **PROBATION** for a minimum of two (2) years **AND** until RESPONDENT fulfills the additional requirements 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.
- C. **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](http://www.bon.texas.gov/compliance).*

#### V. APRN EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as an advanced practice registered 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 an advanced practice registered nurse have elapsed. Periods of unemployment or of employment that do not require the use of an advanced practice registered nurse (APRN) license will not apply to this period and will not count towards completion of this requirement. Further, Respondent may not work as a registered nurse (RN) or a vocational nurse (LVN) license, as applicable, while under the terms of this Order.

- A. **Notifying Present and Future Employers, Practice Sites and Credentialing Agencies:** RESPONDENT SHALL notify each present employer, practice site and/or credentialing agency in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). 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, practice site and/or credentialing agency in nursing within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers, practice sites and/or credentialing agencies in nursing and present a complete copy of this Order, including all attachments, if any, to each future employer, practice site and/or credentialing agency in nursing prior to accepting an offer of employment and/or assignment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer, practice site and/or credentialing agency in nursing to submit the Board's "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, practice site and/or credentialing agency in nursing to submit the Board's "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.
- C. **Indirect Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, RESPONDENT SHALL be supervised by an Advanced Practice Registered Nurse or Physician who is on the premises. The supervising Advanced Practice Registered Nurse or Physician 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 Advanced Practice Registered Nurse or Physician shall have a minimum of two (2) years of experience in the same or similar practice setting to which the RESPONDENT is currently working. If being supervised by an Advanced Practice Registered Nurse, the supervising APRN must be in the same advanced

role and population focus area as RESPONDENT. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- D. **Monitored Practice:** For the remainder of the stipulation/probation period, RESPONDENT'S advanced practice registered nursing must be monitored by a Physician or an Advanced Practice Registered Nurse in the same advanced role and population focus area as RESPONDENT who has been preapproved by the Board. For so long as RESPONDENT remains employed as a Nurse Midwife at Dr. Deleon's Woman's Healthcare, Rowlett, Texas, the Board preapproves Luis De Leon Usuga, MD, as RESPONDENT'S monitor for purposes of this paragraph. Should RESPONDENT'S employment as a Nurse Midwife at Dr. Deleon's Woman's Healthcare, Rowlett, Texas, cease or change, RESPONDENT MUST, within ten (10) days of employment as an advanced practice registered nurse, provide to the Board a list of three (3) Advanced Practice Registered Nurses and/or three (3) Physicians from which the Board shall select an approved monitor. For each Advanced Practice Registered Nurse and Physician, the list must include name, license number or social security number, educational background and professional employment history. Monitoring shall commence immediately if still employed as a Nurse Midwife at Dr. Deleon's Woman's Healthcare, Rowlett, Texas, or, if no longer employed as a Nurse Midwife at Dr. Deleon's Woman's Healthcare, Rowlett, Texas, no later than thirty (30) days following the date of RESPONDENT'S receipt of the name of the approved monitor selected by the Board. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth in this Order do not reoccur. RESPONDENT SHALL meet with the monitor at least twice a month, at least one (1) hour duration each. Meetings may be longer and more frequent if the monitor determines necessary. Multiple employers are prohibited.
- E. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each supervising Advanced Practice Registered Nurse or Physician 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 Advanced Practice Registered Nurse or Physician who supervises the RESPONDENT and these reports shall be submitted by the supervising Advanced Practice Registered Nurse or Physician 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.
- F. **Nursing Performance Reports:** RESPONDENT SHALL CAUSE each supervising/monitoring Advanced Practice Registered Nurse or Physician 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 Advanced Practice Registered Nurse or Physician who supervises/monitors the RESPONDENT and these reports shall be submitted by the supervising/monitoring Advanced Practice Registered Nurse or Physician 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. FURTHER COMPLAINTS**

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against RESPONDENT'S license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

**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.

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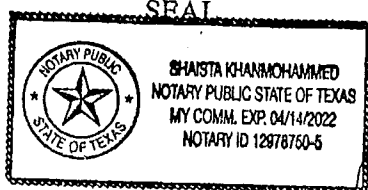


**RESPONDENT'S CERTIFICATION**

I understand that I have the right to legal counsel prior to signing this Order. 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 8 day of July, 2021.  
Jane Eva Singer  
JANE EVA SINGER, RESPONDENT

Sworn to and subscribed before me this 8 day of July, 2021.



Shaista Khan Mohammed  
Notary Public in and for the State of Texas

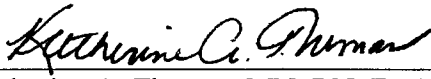
Approved as to form and substance.

Ryan Wozny  
Ryan Wozny, Attorney for Respondent  
Nicole Marciano

Signed this 24 day of July, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8<sup>th</sup> day of July, 2021, by JANE EVA SINGER, Advanced Practice Registered Nurse License Number AP116471 with Prescription Authorization Number 8234, and Registered Nurse License Number 748666, and said Agreed Order is final.

Effective this 14<sup>th</sup> day of September, 2021.

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