

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
AMANDA HARPER MCGUIRE,	§	FOR
Registered Nurse License Number 779772	§	ELIGIBILITY &
& PETITIONER for Eligibility for Licensure	§	DISCIPLINE

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of Registered Nurse License Number 779772 and the Application for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority, which has been processed as a Petition for Declaratory Order, hereinafter referred to as the Petition, pursuant to 22 TEX. ADMIN. CODE §221.4(a)(7), and supporting documents filed by AMANDA HARPER MCGUIRE, hereinafter referred to as Petitioner, requesting a determination of eligibility for licensure in compliance with Section 301.257, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §221.4(a), together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that Petitioner may be subject to discipline and ineligible for licensure pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

Petitioner waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 2, 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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Agreed Order.

3. Petitioner received a Baccalaureate Degree in Nursing from Stephen F. Austin State University, Nacogdoches, Texas, on December 18, 2009. Petitioner anticipated receiving a Master's Degree in Nursing, Family Nurse Practitioner Program, from The University of Texas at Arlington, Arlington, Texas, on August 29, 2020. Petitioner was licensed to practice professional nursing in the State of Texas on January 26, 2010.
4. Petitioner's license to practice as a professional nurse in the State of Texas is in current status.
5. On or about August 16, 2020, Petitioner submitted the Petition requesting a determination of eligibility for licensure.
6. Petitioner's nursing employment history includes:

1/2010–9/2011	Registered Nurse	CHI St. Luke's Health-Memorial Lufkin, Texas
9/2011–8/2013	Registered Nurse	SNG Dialysis Nacogdoches, Texas
8/2013–8/2018	Registered Nurse	DaVita Healthcare Partners Conroe, Texas
8/2018–4/2019	Registered Nurse	Conroe Independent School District Conroe, Texas
5/2019	Unknown	Unknown
6/2019–Unknown	Registered Nurse	Humble Vascular Access Center Humble, Texas
Unknown–Present	Registered Nurse	Nacogdoches Surgery Center Nacogdoches, Texas

7. At the time of the initial incident, Petitioner was employed as a Registered Nurse with Conroe Independent School District, and had been in that position for less than one (1) month.
8. On or about August 14, 2018, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to enter the correct medication into the Electronic Health Record (EHR) for Student Number 379749. Specifically, Petitioner entered the medication Adderall five (5) milligrams into the students EHR. The

correct authorized/ordered medication was Dexmethlyphenidate five (5) milligrams. Subsequently, the incorrect medication was documented as administered one hundred and thirty-nine times in the EHR. Petitioner's conduct resulted in an inaccurate medical record.

9. On or about August 14, 2018, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to ensure that Controlled Medications were accurately checked in, entered in the medical record, and accounted for, for eighteen (18) students. Subsequently, when a medication reconciliation was performed in the clinic on April 15, 2019, these students had medication that was missing and unaccounted for. Petitioner's conduct resulted in inaccurate medical records.
10. On or about August 14, 2018, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to accurately document medication administration for Student Number 433586. Specifically, the order stated that one (1) or two (2) caplets could be administered for pain. The documentation did not specify the dose that was administered to the student. Petitioner's conduct was likely to injure the patient from clinical care decisions based upon incomplete medication administration documentation.
11. On or about October 18, 2018, through April 15, 2019, while employed as a Registered Nurse with Conroe independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner incorrectly administered medication to Student Number 380678 that was ordered for Student Number 380442, without parent permission or an order. Additionally, Petitioner failed to notify the Principal, Supervisor and parents of medication error, or complete a Medication Incident Report. Petitioner's conduct unnecessarily exposed the patient to risk of harm from administration of a medication without the parent's authorization.
12. On or about November 14, 2018, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to enter the correct medication into the Electronic Health Record (EHR) for Student Number 384222, in that Petitioner entered Mucinex Stuffy Nose & Cold. The correct medication that was brought to the school by the parent was Mucinex Cold, Cough, & Sore Throat, which contains Acetaminophen. Additionally, Petitioner incorrectly documented the wrong medication as administered in the student's EHR. Petitioner's conduct resulted in an inaccurate medical record.
13. On or about January 17, 2019, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to document/enter medication into the Electronic Health Record (EHR) for Student Number 388975. Specifically, Ondansetron four (4) milligrams and Sumatriptan five (5) milligrams were brought to the school with a signed permission form to be administered as needed. Petitioner's conduct resulted in an inaccurate medical records and was likely to injure patients in that subsequent care givers would not have reliable information on which to base their care decisions.

14. On or about February 21, 2019, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to ensure that the medication count was completed and accurate for Student Number 435117. Subsequently, there were 3 tablets not accounted for in the count. Petitioner's conduct resulted in an inaccurate medical record.
15. On or about February 28, 2019, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to ensure that the medication dose did not exceed authorized dosage for Student Number 394237. Specifically, the student's parent authorized two and one half (2.5) tablets of Tylenol Junior Strength to be administered as needed for pain. Petitioner entered the incorrect dosage of three (3) tablets into the Electronic Health Record (EHR). The student received the incorrect dosage of the medication on three (3) different dates. Additionally, Petitioner failed to ensure the medication was accurately counted and/or documented. Upon medication reconciliation, there were six (6) tablets unaccounted for. Petitioner's conduct was likely to injure the patient from adverse reactions from unauthorized doses of medication administered.
16. On or about March 4, 2019, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to accurately enter medication into the Electronic Health Record (EHR) for Student Number 424915, in that Petitioner entered Equate Children's Cold & Cough containing Brompheniramine Maleate one (1) milligrams, Dextromethorphan five (5) milligrams, Phenylephrine two and one half (2.5) milligrams. The correct dosage was Brompheniramine Maleate two (2) milligrams, Dextromethorphan ten (10) milligrams, and Phenylephrine five (5) milligrams. Subsequently, the wrong dosage of medication was documented as administered in the Student EHR on March 6, 2019, and March 7, 2019. Petitioner's conduct resulted in an inaccurate medical record.
17. On or about March 18, 2019, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to accurately enter a medication change into the Electronic Health Record (EHR) for Student Number 369421. Specifically, Petitioner received a new order and parent authorization for the student's Focalin (Dexmethylphenidate) seven and one half (7.5) milligram dosage to be changed to ten (10) milligrams. Petitioner did not enter the medication dose change into EHR for eight (8) days after the change was ordered. Subsequently, the student EHR did not accurately reflect the dosage the student received on those days. Petitioner's conduct resulted in an inaccurate medical record.
18. On or about March 22, 2019, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner failed to correctly document medication administration for Student Number 447766 as well as accurately enter the medication into the Electronic Health Record (EHR). Specifically, Petitioner entered the

medication into the EHR as "other" without noting the name of the medication, Chlorpromazine, in the comment field or anywhere else in the record. Subsequently, medication administration documentation was incomplete 14 times. Petitioner's conduct resulted in an incomplete medical record and was likely to injure the patient in that subsequent care givers would not have reliable information on which to base their care decisions.

19. On or about April 1, 2019, through April 15, 2019, while employed as a Registered Nurse with Conroe Independent School District (CISD), Conroe, Texas, and assigned to Clark Intermediate School, Spring, Texas, Petitioner incorrectly changed the ordered dosage of Dexmethylphenidate for Student Number 379650, from five (5) milligrams to ten (10) milligrams in the Electronic Health Record (EHR), without an order or parent permission. Subsequently, the incorrect dose was documented as administered on eleven (11) different dates. Additionally, Petitioner failed to ensure the medication was accurately counted and/or documented. Upon medication reconciliation, there were three (3) tablets unaccounted for. Petitioner's conduct resulted in an inaccurate medical record.
20. In response to the incidents in Finding of Fact Number Seven (7) through Finding of Fact Number Nine (9), Petitioner states that to her knowledge all medications were signed in on paper documents with herself, a substitute, or the aide, and they were initially brought in by parents. Petitioner states that she does know that some of the medications were signed in and administered prior to being entered into the system due to the workload. Petitioner states that the delay in imputing the administered medications would have occurred only when the workload was immense. Petitioner states that her mentor advised her that she could wait to enter medications in the Electronic Medical Record (EMR) due to busy day-to-day happenings in the clinic and the documentation could be completed thereafter. Petitioner states that this delay was fairly typical in most clinics. Petitioner states that all medications were meticulously counted in and out using a pill counter tray with parents as witness including the medications listed in the allegations. Petitioner states that all medications were signed in by quantity with parent signatures acknowledging both the medication and dosing. Petitioner states that at no time did a parent ever question missing doses of medication and at no point was there ever concern of missing medications. In response to the incident in Finding of Fact Number Ten (10), Petitioner states that she does not believe that she administered medication to the wrong student as alleged. In response to the incident in Finding of Fact Number Twelve (12), Petitioner states that there was paper documentation of medications that were pending entry to the electronic system. Petitioner states that she believes that the paper documentation can account for this specific incident, as it is possible that there was an oversight in the entry into the EMR as she had initialed that it was entered into the system, yet it was not found. Petitioner states that another likely cause was either an error in saving the attempted entry into the EMR or because it was shuffled through as similar file of paperwork. Petitioner states that either way, the error would be in documentation not administration as the medicine was never administered to the student as alleged. In response to the incident in Finding of Fact Number Thirteen (13) through Finding of Fact Number Fifteen (15), Petitioner states that she would like to note that the clinic was audited by the Health Coordinator both onsite and remotely on several different dates. Petitioner states that the most recent audit happened less than a month prior to the last date of her employment. Petitioner states that of the audits, none of the listed allegations, nor the need for remedial action, was found.

Petitioner states that she would like to point out the number sets for the cabinets and drawers were accessible by numerous individuals. Petitioner states that these individuals could have accessed any number of medications without her knowledge. Petitioner states that she left the cabinets in her clinic unlocked. Petitioner reports that she was advised by her mentor that this was common practice to keep the cabinets open for access when she was in the clinic. Petitioner states that all controlled medications were always double locked and only unlocked to administer or refill. In response to the incident in Finding of Fact Number Seventeen (17), Petitioner states that she did not intentionally leave out the name of the medication and states that she was not aware that she had done so.

21. Formal Charges were filed on April 22, 2021.
22. The Executive Director considered evidence of Petitioner's past behavior in light of the factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for licensure as an Advanced Practitioner.
23. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
24. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
25. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. On or about August 16, 2020, Petitioner submitted the Petition requesting a determination of eligibility for licensure in compliance with Section 301.257, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §221.4(a).
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B),(1)(C),(1)(D)&(3)(A) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(1)(C)&(4).
4. Petitioner's history reflects conduct which may constitute grounds for discipline and denial of a license under Section 301.452(b)(10)&(13), Texas Occupations Code.

5. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
6. The Board may license an individual upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, if the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
7. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).
8. 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, ELIGIBILITY FOR LICENSURE, AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that PETITIONER SHALL receive the sanction of **REPRIMAND WITH STIPULATIONS** and the PETITION for licensure as an Advanced Practice Registered Nurse and Prescriptive Authority is hereby **GRANTED**, and upon submitting a completed application for APRN licensure, payment of any required fees, and the completion of all other applicable requirements, PETITIONER SHALL be issued the applicable license to practice as an Advanced Practice Registered Nurse (APRN) in the State of Texas in accordance with the terms of this Order.

- A. Until successfully completed, any and all licenses issued to PETITIONER shall be subject to the terms of this Order.
- B. Until successfully completed, this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Until successfully completed, PETITIONER may not practice nursing in the State of Texas except in accordance with the terms of this Order.

- D. As a result of this Order, PETITIONER'S license(s) will be designated "single state" as applicable and PETITIONER 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, PETITIONER 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, PETITIONER 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, PETITIONER 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, PETITIONER SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft, and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on

malpractice issues will not be accepted. Home study and video programs will not be approved.

- B. **A Board-approved course in medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires PETITIONER to successfully complete both the didactic and clinical portions of the course.
- C. **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.
- D. **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.
- E. **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), PETITIONER 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. PETITIONER 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 PRIOR TO BE LICENSED AS AN APRN**

In order to complete the terms of this Order, prior to becoming licensed and employed as an advanced practice registered nurse, PETITIONER 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 or until PETITIONER becomes licensed and employed as an advanced practice registered nurse. This requirement will not be satisfied until eight (8) quarterly periods of employment as either a registered nurse and/or advanced practice registered nurse 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 period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** PETITIONER 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, PETITIONER 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:** PETITIONER 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. PETITIONER 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. **Exception for Incident Reporting at Nacogdoches Surgery Center, Nacogdoches, Texas:** For so long as Petitioner remains employed in her current position as a Registered Nurse at Nacogdoches Surgery Center, Nacogdoches, Texas, PETITIONER SHALL CAUSE each of these employers to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving PETITIONER, as well as documentation of any internal investigations regarding action by PETITIONER, to the attention of Monitoring at the Board's office. Multiple employers are prohibited.

Should Petitioner's current position as a Registered Nurse at Nacogdoches Surgery Center, Nacogdoches, Texas, cease or change, PETITIONER must comply with the supervisory requirements of paragraph D of this Section V. Multiple employers are prohibited.

D. **Supervision Requirements for Subsequent Employment as a Registered Nurse, if any:** The supervision requirements of this subsection SHALL APPLY if PETITIONER'S current employment as a Supervising Registered Nurse with Nacogdoches Surgery Center, Nacogdoches, Texas, ceases or changes prior to obtaining licensure and employment as an APRN.

1. **Direct Supervision for the Remainder of the First Year of Employment as a Registered Nurse under the Terms of this Order, if any:** For the remainder of the first year [four (4) quarters] of employment as a Nurse under this order, PETITIONER 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 PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

2. **Indirect Supervision for the Remainder of the Second Year of Employment as a Registered Nurse under the Terms of this Order, if any:** For the remainder of the second year [four (4) quarters] of employment as a Nurse under this order, PETITIONER 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 PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

E. **Nursing Performance Evaluations:** PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the individual who supervises the PETITIONER 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. EMPLOYMENT REQUIREMENTS AFTER LICENSURE AND EMPLOYMENT AS AN APRN

Upon becoming licensed and employed as an Advanced Practice Registered Nurse, in order to complete any remaining terms of this Order, PETITIONER 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 the remainder of eight (8) quarterly periods [two (2) years] of employment, if any. This requirement will not be satisfied until a total of eight (8) quarterly periods of employment as either a registered nurse and/or 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, Petitioner may not work as a registered nurse or licensed vocational nurse while under the terms of this Order after becoming licensed and employed as an APRN.

- A. Notifying Present and Future Employers, Practice Sites and Credentialing Agencies:** PETITIONER SHALL notify each present employer, practice site and/or credentialing agency in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER 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, PETITIONER 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:** PETITIONER 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 PETITIONER by the Board, to the Board's office within ten (10) days of receipt of this Order. PETITIONER 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 PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

- D. **Indirect Supervision:** For the remainder of the stipulation/probation period, PETITIONER 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 PETITIONER, 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 PETITIONER 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 PETITIONER. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- E. **Nursing Performance Evaluations:** PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the individual who supervises the PETITIONER 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 the remainder of eight (8) quarters [two (2) years] of employment as a nurse, if any.

VII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from PETITIONER'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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application/petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

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) and/or nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

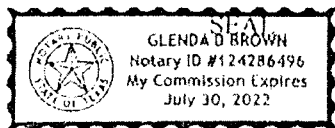
I understand that I can be represented by an attorney in this matter. I waive notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 10th day of September, 2021.

Amanda Harper McGuire

AMANDA HARPER MCGUIRE, PETITIONER

Sworn to and subscribed before me this 10 day of September, 2021.



Glenda D. Brown

Notary Public in and for the State of Texas

Approved as to form and substance.

Joe A. Flores

Joe A. Flores, Attorney for Petitioner

Signed this 10th day of Sept, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10th day of September, 2021, by AMANDA HARPER MCGUIRE, Registered Nurse License Number 779772 & PETITIONER for Eligibility for Licensure, and said Agreed Order is final.

Effective this 21st day of October, 2021.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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