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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 883918 §
issued to DEREK JOHNSON RUMEL §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEREK JOHNSON RUMEL, Registered Nurse License Number 883918, 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)(effective through 8/31/2021), 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 September 27, 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 a Baccalaureate Degree in Nursing from The University of Texas at Tyler, Tyler, Texas, on May 1, 2015. Respondent was licensed to practice professional nursing in the State of Texas on July 21, 2015.
5. Respondent's nursing employment history includes:

7/2015 – 9/2015 Unknown

Respondent's nursing employment history continued:

10/2015 – 6/2016	RN	University Medical Center Brackenridge Austin, Texas
7/2016	Not employed in nursing	
8/2016 – 2/2017	RN	Baylor Scott & White Medical Center Temple, Texas
3/2017 – 8/2017	RN	Ascension SE Wisconsin Hospital Milwaukee, Wisconsin
8/2017 – 11/2017	RN	VCU Medical Center Richmond, Virginia
12/2017 – 1/2018	Not employed in nursing	
2/2018 – 11/2018	RN	CHRISTUS Mother Frances Hospital Tyler, Texas
11/2018 – 4/2019	RN	Hospitality Health ER Longview Longview, Texas
5/2019	Not employed in nursing	
6/2019 – 11/2019	RN	TriStar Southern Hills Medical Center Nashville, Tennessee
12/2019 – 2/2020	Not employed in nursing	
3/2020 – 6/2020	RN	Vanderbilt Wilson County Hospital Lebanon, Tennessee
7/2020	Not employed in nursing	
8/2020 – 10/2020	RN	Phoebe Putney Memorial Hospital Albany, Georgia

10/2020 – 11/2020	RN	Forrest City Medical Center Forrest City, Arkansas
11/2020 - Present	RN	LiquidAgents Healthcare Plano, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with LiquidAgents Healthcare, Plano, Texas, on assignment at Baylor Scott & White Medical Center – Lake Pointe, Rowlett, Texas, and had been in that position for two (2) months.

7. On or about January 4, 2021, while employed as a Registered Nurse with LiquidAgents Healthcare, Plano, Texas, and on assignment at Baylor Scott & White Medical Center – Lake Pointe, Rowlett, Texas, Respondent administered Hydromorphone 0.5mg to Patient TN in excess frequency of the physician's orders. Respondent's conduct was likely to injure the patient in that the administration of medication in excess frequency and/or dosage of the physicians' orders could result in the patient suffering from adverse reactions. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

8. On or about January 4, 2021, while employed as a Registered Nurse with LiquidAgents Healthcare, Plano, Texas, and on assignment at Baylor Scott & White Medical Center – Lake Pointe, Rowlett, Texas, Respondent withdrew Hydromorphone 2mg from the medication dispensing system for Patient TN and failed to document appropriately the pain assessment in the patient's medical records. Respondent's conduct was likely to injure the patient from clinical care decisions formulated based upon incomplete assessment information.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states he had a full patient load, but was still caring for Patient TN because the patient's primary nurse hadn't come to him for report yet. Respondent relates Patient TN said he was in pain so, he reviewed the patient's MAR, saw that the patient had hydromorphone available, pulled the medication and gave it to him. Respondent states he also performed a pain assessment on the patient, but simply forgot to document it.

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)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13)(effective through 8/31/2021), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 883918, heretofore issued to DEREK JOHNSON RUMEL.
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. Until successfully completed, RESPONDENT 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, 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 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 RESPONDENT 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.

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. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

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 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 20 day of November 2021.
Derek Rumel
DEREK JOHNSON RUMEL, RESPONDENT

Sworn to and subscribed before me this _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

Approved as to form and substance.

Deborah Goodall
Deborah Goodall, Attorney for Respondent

Signed this 20th day of November, 2021.

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 20th day of November, 2021, by DEREK JOHNSON RUMEL, Registered Nurse License Number 883918, and said Agreed Order is final.

Effective this 1st day of December, 2021.



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