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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Advanced Practice Registered Nurse License	§	
Number AP124069 with Prescription	§	
Authorization Number 14453	§	
& Registered Nurse License Number 839327	§	
issued to ARTHUR MANDY III	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ARTHUR MANDY III, Advanced Practice Registered Nurse License Number AP124069 with Prescription Authorization Number 14453, and Registered Nurse License Number 839327, 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 08/31/2021), 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 December 7, 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 Family Nurse Practitioner is in current status with Prescription Authorization Number 14453 in current status.
4. Respondent received a Baccalaureate Degree in Nursing from St Louis University, St Louis, Missouri, on May 14, 2005. Respondent completed a Family Nurse Practitioner

Program from Grand Canyon University, Phoenix, Arizona, on May 1, 2011. Respondent was licensed to practice professional nursing in the State of Missouri on July 11, 2005, and was licensed to practice professional nursing in the State of Texas on June 28, 2013. Respondent was licensed to practice advanced practice professional nursing in the State of Arizona on July 23, 2011. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Family Nurse Practitioner on July 22, 2013. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Family Nurse Practitioner with Prescription Authorization on July 22, 2013.

5. Respondent's nursing employment history includes:

7/2005-12/2005	Registered Nurse	St. Louis University Hospital St. Louis, Missouri
1/2006-6/2007	School Nurse	Robert D. Edgren High School Misawa Air Base, Japan
6/2007-1/2009	Registered Nurse	John C. Lincoln North Mountain Hospital Phoenix, Arizona
1/2009-4/2009	Registered Nurse	John C. Lincoln Deer Valley Hospital Phoenix, Arizona
4/2009-8/2011	Registered Nurse	St. Joseph Hospital and Medical Center Phoenix, Arizona
8/2011-8/2013	Family Nurse Practitioner	Integrated Medical System/Southwest Family Medicine Buckeye, Arizona
8/2013-9/2014	Family Nurse Practitioner	Paragon Health Care- Stone Oak Infusion Center San Antonio, Texas
9/2014- Present	Family Nurse Practitioner	SynergenX Health and Wellness Clinic San Antonio, Texas

6. At the time of the incidents, Respondent was employed as a Family Nurse Practitioner with SynergenX Health and Wellness Clinic, San Antonio, Texas, and had been in that position for four (4) years and two (2) months.
7. On or about November 20, 2018, through May 7, 2019, while employed as a Family Nurse Practitioner with SynergenX Health and Wellness Clinic, San Antonio, Texas, Respondent

prescribed a new thyroid medication for the aforementioned Patient PG. Additionally, Respondent failed to document his communication with pharmacy regarding his effort to titrate this medication change, and failed to document any discontinuation of the prior thyroid medication until May. Respondent's conduct could have exposed the patient to a risk of harm from adverse effects of excess thyroid hormone, including heart palpitations, tachycardia, and anxiety.

8. On or about November 20, 2018, through May 7, 2019, while employed as a Family Nurse Practitioner with SynergenX Health and Wellness Clinic, San Antonio, Texas, Respondent prescribed hormone replacement therapy and a compounded arousal cream medication to Patient PG, a female patient, for off-label purposes in a manner not fully supported in the medical records and inconsistent with the standard of care for the treatment of Patient PG's diagnoses.
9. On or about November 7, 2018, through May 7, 2019, while employed as a Family Nurse Practitioner with SynergenX Health and Wellness Clinic, San Antonio, Texas, Respondent failed to accurately document in the electronic medical record of Patient PG. Respondent's conduct resulted in an inaccurate medical record and exposed the patient to a risk of harm in that subsequent care givers would not have accurate and complete information on which to base their care decisions.
10. In response to the above findings, Respondent states that all his assessments are documented accurately, and proper training and education is completed and documented for managing hormone therapy. Respondent further states that the initial treatment plan for a patient with prior exposure to hormone therapy, to include, all medications was executed and prescribed with proper consent from the patient, under appropriate physician supervision consistent with the standard of care, and within SynergenX treatment protocols. Respondent adds that all providers at the practice are following company practice guidelines regarding pellet insertion and testosterone dosing. In response to the incident in Finding of Fact Number Seven (7), Respondent states that hypothyroidism is managed using the facility protocols, and that thyroid medications were closely monitored and titrated if necessary, with regular office visits and lab testing, however, the patient did not express any medication symptoms at any time with either Respondent or two other clinic providers, and the patient failed to maintain regular office visits as ordered.
11. Formal Charges were filed on October 26, 2020.
12. On or about November 11, 2020, Respondent completed a Board-approved course in Prescriptive Authority for APRNs, which would have been a requirement of this order.
13. On or about November 14, 2020, Respondent completed a Board-approved course in Texas Nursing Jurisprudence and Ethics, which would have been a requirement of this order.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(D),(1)(M)&(4)(B), 217.12(1)(A),(1)(B), and 222.4(e).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13)(effective through 08/31/2021), Texas Occupations Code., Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP124069 with Prescription Authorization Number 14453, and Registered Nurse License Number 839327, heretofore issued to ARTHUR MANDY III.
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. 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 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.

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 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. **Monitored Practice:** RESPONDENT'S advanced practice registered nursing must be monitored by the Physician Dr. George Dean Zgouridès. 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.

- D. **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. 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

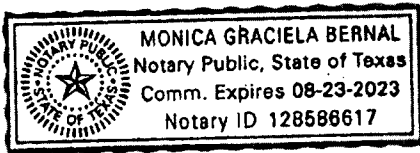
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action 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 14 day of December, 2021.

ARTHUR MANSOUR III, RESPONDENT

Sworn to and subscribed before me this 14 day of December, 2021.

SEAL



Monica Graciela Bernal
Notary Public in and for the State of Texas

Approved as to form and substance.

Tony Cobos
Tony Cobos, Attorney for Respondent

Signed this 15th day of December, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 14th day of December, 2021, by ARTHUR MANDY III, Advanced Practice Registered Nurse License Number AP124069, and Registered Nurse License Number 839327, and said Agreed Order is final.

Effective this 20th day of January, 2022.



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