



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or its record in the offices of the Texas Board of Nursing.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of  
Registered Nurse License Number 937828  
issued to JOANNE MARIE BRECKON

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JOANNE MARIE BRECKON, Registered Nurse License Number 937828, 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 September 28, 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 an Associate Degree in Nursing from Lone Star College Kingwood, Kingwood, Texas, on December 1, 2017. Respondent was licensed to practice professional nursing in the State of Texas on February 1, 2018.
5. Respondent's nursing employment history includes:

2/2018 – 10/2018	Unknown	Unknown
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11/2018 – 6/2020

Registered Nurse

Memorial Hermann Southwest  
Hospital, Houston, Texas

Respondent's nursing employment history continued:

7/2020 - Present

Unknown

Unknown

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Memorial Hermann Southwest Hospital, Houston, Texas, and had been in that position for one (1) year.
7. On or about October 8, 2019, while employed as a Registered Nurse by Memorial Hermann Southwest Hospital, Houston, Texas, Respondent failed to notify the physician when the family of Patient Medical Record Number 37091690-7502 refused insertion of a second intravenous line so that Respondent could administer an antibiotic, Merrem 500mg, intravenously every eight (8) hours, as ordered by the physician. As a result, Respondent did not administer the Merrem and documented in the medical record that administration was not appropriate at 0929 because a blood transfusion was ongoing. Respondent's conduct could have harmed the patient from ineffective treatment of infection and resulted in an inaccurate medical record.
8. On or about October 10, 2019, while employed as a Registered Nurse by Memorial Hermann Southwest Hospital, Houston, Texas, Respondent twice failed to administer Metoprolol 25mg orally every six (6) hours to Patient Medical Record Number 37091690-7502 as ordered by the physician. In addition, Respondent failed to assess the patient and notify the physician that the Metoprolol was not administered. Instead, Respondent documented in the medical record that both administrations were not appropriate. Respondent's conduct resulted in an inaccurate medical record and could have injured the patient from ineffective treatment.
9. On or about October 8, 2019 through October 10, 2019, while employed as a Registered Nurse by Memorial Hermann Southwest Hospital, Houston, Texas, Respondent failed to administer a continuous tube feeding of HIPro Isotonic (Replete) at 70ml/hour to Patient Medical Record Number 37091690-7502 as ordered by the physician. Respondent's conduct could have harmed the patient from inadequate nutrition.
10. On or about October 10, 2019, while employed as a Registered Nurse by Memorial Hermann Southwest Hospital, Houston, Texas, Respondent failed to assess and/or document an assessment for Medical Record Number 35668057-7509. Respondent's conduct could have injured the patient from clinical decisions based on incomplete assessment data.

11. On or about May 12, 2020, while employed as a Registered Nurse by Memorial Hermann Southwest Hospital, Houston, Texas, Respondent failed to clarify the peritoneal dialysis catheter orders for Patient Medical Record Number 55003998-7501, which required a caregiver to flush the catheter, connect it to bulb suction, empty and record amount of drainage, and place it to drain. Respondent's conduct could have harmed the patient from retention of dialysis fluid and insufficient drainage of catheter.
12. In response to Findings of Fact numbers 7-10, Respondent states she was a new nurse and was learning the tasks required and time management. She points out the 2019 errors were determined by the hospital to be part of a new nurse's learning curve and the hospital stated she had learned from her mistakes; however, in 2020 when a physician became angry that he was contacted after hours for an order he considered to be clear and easy he filed a complaint that resulted an allegation. The previous issues that had been resolved by the hospital were then brought forward again. Respondent's preceptor provided a letter explaining how Respondent has grown from a new nurse and the preceptor believes Respondent to be a competent and good nurse while another co-worker stated Respondent is one of the best nurses she has ever worked with.
13. On or about March, 22, 2021, Respondent completed a Board-approved course in Sharpening Critical Thinking Skills, which would have been a requirement of this order.
14. On or about April, 30, 2021, Respondent completed a course in Jurisprudence and Ethics, which would have been a requirement of this order.
15. On or about May 3, 2021, Respondent completed a Board-approved course in Documentation, which would have been a requirement of this order.
16. On June 1, 2021, Staff filed Formal Charges.

#### 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)(M),(1)(N),(1)(P)&(3)(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 Registered Nurse License Number 937828, heretofore issued to JOANNE MARIE BRECKON.

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 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.
  
- B. **A Board-approved course in physical assessment** 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 physical assessment of all body systems. The clinical component SHALL include physical assessment of live patients in a clinical setting; Performing assessments on mock patients or mannequins WILL NOT be accepted. 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.

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. 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. **Indirect Supervision:** For the first year of the stipulation/probation period of this Order, 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.

- D. **Incident Reporting:** For the second year of the stipulation/probation period of this Order, RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
  
- 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**

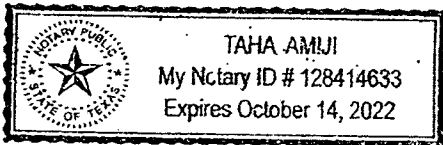
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action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

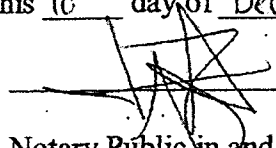
Signed this 10 day of December, 2021.

  
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JOANNE MARIE BRECKON, RESPONDENT

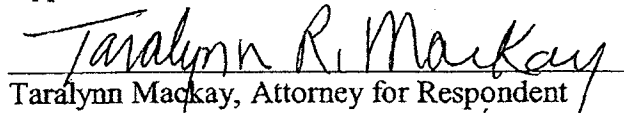
Sworn to and subscribed before me this 10 day of December, 2021.

SEAL



  
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Notary Public in and for the State of Texas.

Approved as to form and substance.

  
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Taralynn Mackay, Attorney for Respondent

Signed this 14<sup>th</sup> 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 10<sup>th</sup> day of December, 2021, by JOANNE MARIE BRECKON, Registered Nurse License Number 937828, and said Agreed Order is final.

Effective this 20<sup>th</sup> day of January 2022.



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