



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 580326 §
issued to DARLENE ANN FISCHER §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DARLENE ANN FISCHER, Registered Nurse License Number 580326, 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)&(12), 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 22, 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 suspended status.
4. Respondent received an Associate Degree in Nursing from Minneapolis Community College, Minneapolis, Minnesota, on June 1, 1990. Respondent was licensed to practice professional nursing in the State of Texas on June 25, 1992.
5. Respondent's nursing employment history includes:

6/1992 – 2003	Registered Nurse	Memorial Medical Center Corpus Christi, Texas
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Respondent's nursing employment history continued:

2003 – 10/2020	Registered Nurse	Corpus Christi Medical Center – Doctors Regional Corpus Christi, Texas
10/2020 – Present	Unknown	

6. On or about September 15, 2020 through present, Respondent may have lacked fitness to practice nursing in that she was diagnosed with a mild neurocognitive disorder and exhibited cognitive impairments that were too severe to practice safely. Respondent's condition could affect her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could affect her ability to make rational, accurate, and appropriate assessments, judgments, and decision regarding patient care, thereby placing the patients in potential danger.
7. In response to Finding of Fact Number Six (6), Respondent states the results of the evaluation were not good, but she feels the results do not accurately represent her mental state because the test was not administered in a way that is conducive for a positive evaluation. Respondent states the events leading to the evaluation were minor and did not warrant an evaluation. Respondents states the main factors that contributed to the negative outcome of the test were due to stress and exhaustion as the drive to the evaluation was difficult.
8. Formal Charges were filed on April 13, 2021.
9. Respondent by her signature expresses her desire to voluntary surrender the licenses.

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 §217.12(1)(A),(4)&(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(12), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 580326, heretofore issued to DARLENE ANN FISCHER.

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

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 580326 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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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 23 day of April, 2021
Darlene Fischer
DARLENE ANN FISCHER, RESPONDENT

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

SEAL

Notary Public in and for the State of _____

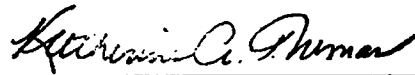
Approved as to form and substance.

Deborah Goodall
Deborah Goodall, Attorney for Respondent

Signed this 23rd day of April, 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 23rd day of March, 2021, by DARLENE ANN FISCHER, Registered Nurse License Number 580326, and said Agreed Order is final.

Effective this 27th day of April, 2021.



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