

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Vocational Nurse License Number 348327
issued to TAJAI D ALDERMAN

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TAJAI D ALDERMAN, Vocational Nurse License Number 348327, 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)&(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 May 10, 2022.

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 vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Community College of Baltimore County - Dundalk, Baltimore, Maryland, on August 1, 2015. Respondent was licensed to practice vocational nursing in the State of Texas on April 26, 2019.
5. Respondent's nursing employment history includes:

01/2016 – 12/2016

L.V.N

Center for Addiction Medicine
Baltimore, Maryland

Respondent's nursing employment history continued:

07/2016 – 04/2017	LVN	Tuerk House Baltimore, Maryland
01/2017 – 05/2017	LVN	Medmark Treatment Centers Essex, Maryland
06/2017 – 08/2017	Unknown	
09/2017 – 09/2018	LVN	R Kidz Rock Pediatrics Temple, Texas
11/2017 – 09/2018	LVN	Coryell Memorial Healthcare Organization Gatesville, Texas
09/2018 – 06/2021	LVN	Maxim Healthcare Services Austin, Texas
07/2021 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Maxim Healthcare Services, Austin, Texas, and had been in that position for two (2) years and six (6) months.
7. On or about March 27, 2021, while employed as a Licensed Vocational Nurse with Maxim Healthcare Services, Austin, Texas, and assigned to provide skilled nursing care to Patient B.G., Respondent violated the professional boundaries of the nurse/patient relationship in that she brought her daughters to work with her. Additionally, Respondent was observed on a security camera giving the patient a bed bath while both daughters were at the patient's bedside. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
8. On or about March 27, 2021, while employed as a Licensed Vocational Nurse with Maxim Healthcare Services, Austin, Texas, and assigned to provide skilled nursing care to Patient B.G., Respondent failed to promote a safe environment in that she was not wearing proper personal protection equipment (PPE) while performing in-line trach and oral suctioning on the patient. Respondent's conduct was likely to injure the patient in that it created an unsafe environment and may have unnecessarily exposed the patient to emotional, physical, and/or psychological harm.

9. On or about April 6, 2021, through April 7, 2021, while employed as a Licensed Vocational Nurse with Maxim Healthcare Services, Austin, Texas, and while assigned to provide skilled nursing care to Patient B.G., Respondent failed to promote a safe environment in that she was observed on a security camera to be blowing smoke from an electronic cigarette or vape pen during her shift. Respondent's conduct was likely to cause injury to the patient and could have interfered or disrupted this patient's treatment.
10. On or about April 9, 2021, through April 10, 2021, while employed as a Licensed Vocational Nurse with Maxim Healthcare Services, Austin, Texas, and while assigned to provide skilled nursing care to Patient B.G., Respondent lacked fitness to practice nursing in that she was observed on security camera footage sleeping while on duty. Specifically, Respondent was observed with her head down on the patient's bed and the patient is seen patting Respondent's head in an attempt to wake her. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
11. On or about April 9, 2021, while employed as a Licensed Vocational Nurse with Maxim Healthcare Services, Austin, Texas, and while assigned to provide skilled nursing care to Patient B.G., Respondent falsely documented the administration of a DuoNeb Inhalation Solution (Ipratropium Bromide 0.5 MG/Albuterol Sulfate 3.0 MG) treatment in that she was observed on security camera footage and did not administer the treatment during her shift. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would rely on her documentation for further care.
12. In response to Finding Fact Number Seven (7), Respondent states the family of the patient asked her to work on a Saturday and gave her permission to bring her two daughters to the home. Specifically, in regards to Finding of Fact Number Eight (8), Respondent states she always wears proper protective equipment when suctioning a patient and may have grabbed the equipment or adjusted the line without gloves in an emergency situation. Specifically, in regards to Finding of Fact Number Nine (9), Respondent states she had permission from the family to use a vape pen inside the home as opposed to going outside and leaving the patient unattended. Specifically, in regards to Finding of Fact Number Ten (10), Respondent states she had her head down on the patient's bed but was not asleep. Specifically, in regards to Finding of Fact Number Eleven (11), Respondent states she forgot to update the documentation to reflect the medication was not administered on this shift due to working over 60 hours a week for several months.
13. Formal Charges were filed on March 9, 2022.

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)(J),(1)(M),(1)(T)&(2) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4),(5),(6)(A),(6)(D),(6)(H)&(10)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b) (10),(12)&(13)(effective through 8/31/2021), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 348327, heretofore issued to TAJAI D ALDERMAN.
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 **WARNING WITH STIPULATIONS AND FINE** 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 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.

- C. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) International Center for Regulatory Scholarship (ICRS).
- D. **The course "Professional Boundaries in Nursing,"** a 3.0 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) International Center for Regulatory Scholarship (ICRS).

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. **MONETARY FINE**

RESPONDENT SHALL **pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of the effective date of this Order.**

Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

VI. **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 four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) 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:** 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. **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 four (4) quarters [one (1) year] of employment as a nurse.

VII. 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.

VIII. 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 waive representation by counsel. 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 11 day of August, 2022.

TAJAI D ALDERMAN, LVN
TAJAI D ALDERMAN, RESPONDENT

Sworn to and subscribed before me this 11th day of August, 2022.

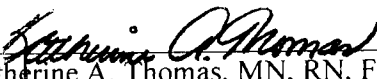
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Kathy Marie Pena
Notary Public in and for the State of Texas

WHEREFORE. PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 11th day of August, 2022, by TAJAI D ALDERMAN, Vocational Nurse License Number 348327, and said Agreed Order is final.

Effective this 13th day of September, 2022


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