



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, MN, RN*  
Katherine A. Thomas, MN, RN  
Executive Director  
Texas Board of Nursing

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED ORDER  
Registered Nurse License Number 658467 §  
issued to RUTH ANN GERHART GRIMMER §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RUTH ANN GERHART GRIMMER, Registered Nurse License Number 658467, 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 8/31/21), 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 9, 2023.

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 delinquent status.
4. Respondent received a Baccalaureate Degree in Nursing from Texas Woman's University, Denton, Texas, on December 1, 1998. Respondent was licensed to practice professional nursing in the State of Texas on February 22, 1999.
5. Respondent's nursing employment history includes:

1/1999 – 2/2002	Registered Nurse	Medical City Dallas Hospital Dallas, Texas
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Respondent's nursing employment history continued:

2/2002 – 1/2012	Registered Nurse	Texas Health Presbyterian Dallas, Texas
1/2012 – 4/2021	Registered Nurse	UT Southwestern Medical Center Dallas, Texas
4/2021 – Present	Retired	

6. At the time of the incident, Respondent was employed as a Registered Nurse with UT Southwestern Medical Center, Dallas, Texas, and had been in that position for one (1) year.
7. On or about March 11, 2021, and March 12, 2021, while employed as a Registered Nurse with UT Southwestern Medical Center, Dallas, Texas, Respondent failed to intervene on behalf of Patient MRN 5750488, who had sent a message with pictures of his foot via MyChart that clearly demonstrated infection. Respondent did not escalate the issue to her manager or any provider, resulting in the patient needing an urgent incision and drainage on his foot. Respondent's conduct delayed the onset of medical care and interventions needed to prevent further complications.
8. In response to Finding of Fact Number Seven (7), Respondent states she began working in the UT Southwestern Medical Center Wound Care Clinic on January 20, 2020, after accepting a job offer that did not require any prior wound care experience. Respondent states the clinic did not have an organized orientation in place for nurses new to wound care. Respondent states there was no orientation handbook detailing basic information such as clinic nurse duties; comprehensive clinic policies and procedures; outlines for ordering critical things such patient's home supplies, wound vacs and home health care; resource lists and descriptions of supplies and wound care dressings (including differentiating the appropriate dressing for the type of wound), etc. Respondent states COVID hit after working with clinic patients for about 6 weeks. Respondent states her manager pulled her from direct patient care due to a UT Southwestern directive related to employees over 65. The directive specifically allowed that an employee over the age of 65 with no health issues could continue to provide direct patient care. Respondent states she assured her manager that she had no health problems making her susceptible to COVID and requested to continue learning by working directly with patients and continuing to improve wound dressing skills. Respondent states her manager refused the request, causing Respondent to lose continuity of orientation for 2 months. With regards to the specific incident, Respondent states she did intervene in accordance with clinic protocols in practice at that time as evidenced in the statements to follow. Respondent states Patient MRN 5750488 had an appointment with the doctor on Tuesday, March 9, 2021 and an experienced wound care nurse was assigned to the patient. Clinic protocol required that nurse to take photos and measurement for placement in the chart. The doctor drew around the area of redness on patient's right foot, instructing the patient to send a MyChart message in two days with

pictures. On March 11, 2021, another seasoned and experienced wound care nurse was assigned MyCharts as his clinic duty in addition to being assigned 3 patients for the day. The patient sent a MyChart message with 3 pictures of his right foot at 1707 on Thursday, March 11, 2021 and she is unsure whether that nurse looked at the message prior to his shift ending at 1800. The following day, Friday, March 12, 2021, she was assigned MyCharts as her clinic duty in addition to being assigned 6 patients for the day. Respondent states she opened the MyChart messages about noon noting that the pictures in the March 11, 2020, MyChart likely showed infection due to the redness, but that there was no redness observed beyond the doctor's demarcation line. She checked for lab results, but they were not resulted yet. Respondent states she escalated the MyChart photos to the charge nurse who took care of the patient for his March 9, 2021, office visit and she did not see any difference in the appearance of the wound. The charge nurse stated that possibly it looked a little better and agreed there was no reason to escalate to a provider in clinic at that time and that sending the photos and messages to the doctor should be sufficient. She also consulted two other experienced nurses on the unit who agreed. Respondent states the nurses found out on Monday that the doctor was out of town over the weekend and did not see his email until Sunday when he returned. Respondent states if she had known the doctor was not available, then she would have routed the MyCharts to the alternate physician as well as to the doctor.

9. Formal Charges were filed on December 19, 2022.
10. On October 31, 2023, Respondent completed a course in Righting a Wrong: Ethics & Professionalism, which would have been a requirement of this order.
11. On November 6, 2023, Respondent completed a course in Upholding the Standard: Professional Accountability in Nursing, which would have been a requirement of this order.
12. On October 28, 2023, Respondent completed a 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)&(3) 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)(effective through 8/31/21), Texas Occupations Code, to take disciplinary action

against Registered Nurse License Number 658467, heretofore issued to RUTH ANN GERHART GRIMMER.

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. 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 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 25 day of October, 2023.

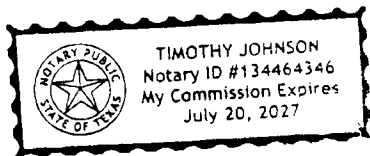
RN License  
658467

Ruth Ann Gerhart Grimmer  
RUTH ANN GERHART GRIMMER, RESPONDENT

Sworn to and subscribed before me this 25 day of October, 2023.

SEAL

[Signature]  
Notary Public in and for the State of Texas



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 25<sup>th</sup> day of October, 2023, by RUTH ANN GERHART GRIMMER, Registered Nurse License Number 658467, and said Agreed Order is final.

Effective this 16<sup>th</sup> day of November, 2023.

*Kristin K. Benton, DNP, RN*

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Kristin K. Benton, DNP, RN  
Executive Director on behalf  
of said Board