



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.
Kristin K. Benton, DNP, RN
Executive Director
Texas Board of Nursing

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 739423 §
issued to MICHELLE G CAMPBELL §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the matter of MICHELLE G CAMPBELL, Registered Nurse License Number 739423, 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 February 27, 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 current status.
- 4. Respondent received a Baccalaureate Degree in Nursing from University of Texas Health Science Center, San Antonio, Texas, on December 23, 2006. Respondent was licensed to practice professional nursing in the State of Texas on March 20, 2007.
- 5. Respondent's nursing employment history includes:

3/2007 – 4/2007 Unknown

Respondent's nursing employment history continued:

4/2007 – 4/2008	Registered Nurse	University Hospital San Antonio, Texas
4/2008 – 1/2009	Registered Nurse	University Hospital San Antonio, Texas
7/2008 – 11/2012	Director of Patient Services	Home Health Innovations San Antonio, Texas
12/2012 – 8/2013	Registered Nurse	America's Health Team San Antonio, Texas
8/2013 – 4/2014	Registered Nurse	A Good Home Health San Antonio, Texas
4/2014 – 11/2014	Registered Nurse	Loving Care Home Health San Antonio, Texas
12/2014 – 2/2015	Registered Nurse	A Plus Family Care San Antonio, Texas
3/2015 – 4/2015	Registered Nurse	Soft Touch Home Health San Antonio, Texas
3/2015 – 4/2015	Registered Nurse	Americare in Homecare San Antonio, Texas
3/2015 – 9/2015	Registered Nurse	Amistad Homecare San Antonio, Texas
9/2015 – 2/2016	Registered Nurse/DON	Americare in Homecare San Antonio, Texas
2/2016 – 4/2016	Registered Nurse	Victorian Healthcare Victoria, Texas
3/2016 - 4/2016	Registered Nurse	Abiding Home Health San Antonio, Texas

Respondent's nursing employment history continued:

4/2016 – 5/2016	Registered Nurse	Total Home Health San Antonio, Texas
4/2016 – 7/2016	Alternate DON	My Home Care Del Rio, Texas
4/2016 – 7/2016	Alternate DON	Intouch Healthcare Services Cleveland, Texas
7/2016 – 8/2017	Unknown	
8/2017 – 2/2019	Registered Nurse/DON	Altima Home Health Care San Antonio, Texas
3/2019 – 6/2019	Registered Nurse	Legend Home Health New Braunfels, Texas
6/2019 – 10/2019	Registered Nurse/Director of Clinical Services	All County Home Health/Hospice Boerne, Texas
11/2019 – 8/2020	Registered Nurse	Christus Home Health San Antonio, Texas
8/2020 – 1/2021	Registered Nurse/Clinical Director	Nurses in Touch Home Healthcare San Antonio, Texas
2/2021 – 6/2021	Registered Nurse	Advanced Home Health Services Seguin, Texas
2/2021 – 12/2022	Registered Nurse	Anew Healthcare San Antonio, Texas
3/2021 – 6/2021	Registered Nurse/ Case Manager	Advanced Home Health & Hospice San Antonio, Texas
6/2021 – 6/2022	Registered Nurse/Case Manager	Pam Home Health Buda, Texas
9/2022 – 9/2022	Registered Nurse (PRN)	River City Hospice San Antonio, Texas

Respondent's nursing employment history continued:

10/2022 – 2/2023	Registered Nurse	Suncrest Hospice San Antonio, Texas
2/2023 – Present	Registered Nurse (PRN)	River City Hospice San Antonio, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Advanced Home Health Services, Seguin, Texas, and had been in that position for four (4) months.
7. On or about June 16, 2021 and June 18, 2021, while employed as a Registered Nurse with Advanced Home Health Services, Seguin, Texas, Respondent falsely documented that patient E.K. refused visitation for missed visits. Respondent's conduct resulted in an inaccurate medical record and unnecessarily exposed the patient to risk of harm from possible undetected complications.
8. On or about June 17, 2021, while employed as a Registered Nurse with Advanced Home Health Services, Seguin, Texas, Respondent falsely documented a skilled nursing visit for Patient FC when she did not in fact make the visit. Respondent's conduct resulted in an inaccurate medical record and was likely to defraud and deceive the facility of money paid to Respondent for hours not actually worked. In addition, Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation for further care.
9. On or about June 18, 2021, and June 21, 2021, while employed as a Registered Nurse with Advanced Home Health Services, Seguin, Texas, Respondent falsely documented skilled nursing visits for Patient SA when she did not in fact make the visits. Furthermore, after being questioned regarding these allegations, Respondent called and verbally harassed Patient SA via telephone. Respondent's conduct resulted in an inaccurate medical record and was likely to defraud and deceive the facility of money paid to Respondent for hours not actually worked. In addition, Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation for further care.
10. In response to Finding of Fact Numbers Seven (7) through Nine (9), Respondent states she saw patient E.K. multiple times for negative pressure wound therapy and on multiple occasions, he had already performed his own therapy. Respondent states she often reported and submitted missed visits prior to the days in question. Respondent states if there were times when she was running late, she would call and he would cancel her visit as he did not want to wait for her and said he would perform his wound care or his wife would perform his wound care. Respondent states the patient made some inappropriate advances toward her and this was reported to the office. Respondent states patient F.C. was an elderly diabetic Spanish speaking male that lived with his son and several family members.

Respondent states she did in fact perform the visit and wound care for the patient and left more wound care supplies, as his family members, to include son and daughter, would perform wound care for him all other days. Respondent states she performed all visits submitted. Respondent states after one of her visits he reported he was moving boxes, and his tubing got caught and the dressing was dislodged. Respondent states patient denied active bleeding and she informed him to place an ABD over the abdominal area and secure with tape as a nurse would be there the next day.

11. Formal Charges were filed on January 31, 2023.

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)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C), (4),(6)(A)&(6)(H).
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 739423, heretofore issued to MICHELLE G CAMPBELL.
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 "Righting a Wrong,"** 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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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.

Witness my hand and signature this 17th day of December, 2010
Michelle G. Campbell, RN
MICHELLE G CAMPBELL, RESPONDENT

Witness my hand and signature this _____ day of _____, 20____

Notary Public in and for the State of _____

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 7th day of December, 2023, by MICHELLE G CAMPBELL, Registered Nurse License Number 739423, and said Agreed Order is final.

Effective this 25th day of January, 2024.

Kristin K. Benton, DNP, RN

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