



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.  
*Stephanie C. Williams*  
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Registered Nurse           §       AGREED  
License Number 667113 issued to           §  
AMENA GUINN BABERS-DEWS               §       ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that AMENA GUINN BABERS-DEWS, hereinafter referred to as Respondent, Registered Nurse License Number 667113, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on October 10, 2006, at the office of the Board of Nurse Examiners, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Mary Beth Thomas, MSN, RN, Executive Director's Designee; E. Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Mary Lynn Adams, BSN, RN, Investigator; and Virginia D. Ayars, BSN, RN, Investigator.

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.
2. Respondent waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from The University of Texas - Arlington, Arlington, Texas, on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on February 22, 2000.

5. Respondent's professional nursing employment history includes:

02/2000 - 03/2005	Staff RN Medical-Surgical Unit Post-Anesthesia Care Unit Renal Transplant Unit	Harris Methodist Fort Worth Hospital Fort Worth, Texas
03/2005 - 08/2005	Staff RN Medical Unit	Kindred Hospital Arlington Arlington, Texas
06/2005 - 09/2005	Staff RN Admissions Department	Prime Care Home Health Fort Worth, Texas
09/2005 - 01/2006	Staff RN Admissions Department	Universal Home Health Fort Worth, Texas
01/2006 - 07/2006	Staff RN Medical Unit	Kindred Hospital Arlington Arlington, Texas
06/2006 - Present	Staff/Charge RN Surgical Unit	Baylor All Saints Hospital Fort Worth, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff RN in the Medical-Surgical Unit with Harris Methodist Fort Worth Hospital, Fort Worth, Texas, and had been in this position for three (3) years and nine (9) months.
7. On or about November 9, 2003, while employed as a Staff RN in the Medical-Surgical Unit with Harris Methodist Fort Worth Hospital, Fort Worth, Texas, Respondent failed to implement physician's orders for Patient BJJ. Respondent discontinued the patient's Jackson-Pratt drain, rather than the Total Parental Nutrition infusion catheter, as ordered by the physician. Respondent's conduct was likely to injure the patient in that the patient could experience infection, fever, impaired wound healing, shock and/or death.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent stated that she misinterpreted the physician's handwriting. Respondent also stated that subsequent to discovery of the error, she assessed the patient, notified the physician of the event and completed an incident report.
9. On or about January 24, 2004, while employed as a Staff RN in the Medical-Surgical Unit with Harris Methodist Fort Worth Hospital, Fort Worth, Texas, Respondent failed to process previously written orders for Patient TML before noting the current set of physician's orders. Respondent's conduct was likely to injure the patient in that the patient could experience an exacerbation of the disease process(es) due to a lack of efficacious medical care.

10. In response to the incident in Finding of Fact Number Nine (9), Respondent stated that there appeared to be confusion in the sequence of the orders and that Respondent noted and signed off all physician's orders before she completed her nursing shift.
11. On or about May 4, 2004, while employed as a Staff RN in the Medical-Surgical Unit with Harris Methodist Fort Worth Hospital, Fort Worth, Texas, Respondent failed to ensure that medications were administered to Patient JDH, as ordered by the physician. The physician had ordered to continue the medications administered to Patient JDH in the long-term care facility, and although Respondent noted the order, she failed to implement it. Respondent's conduct was likely to injure the patient in that the patient could experience an exacerbation of the disease process(es) due to a lack of efficacious medical care.
12. In response to the incident in Finding of Fact Number Eleven (11), Respondent stated that the patient was admitted to her care at the change of shift and that she assessed the patient and initiated the admission paperwork. During change of shift report, the oncoming nurse assured Respondent that the oncoming shift would complete the admission process.
13. On or about December 18, 2004, while employed as a Staff RN in the Medical-Surgical Unit with Harris Methodist Fort Worth Hospital, Fort Worth, Texas, Respondent failed to ensure that medications were administered to Patient LG, as ordered by the physician. The patient had an order to resume home medications and Respondent failed to identify the medications and/or clarify the order with the physician. Consequently, Patient LG was without respiratory treatments for eighteen (18) hours. Respondent's conduct was likely to injure the patient in that the patient could experience an exacerbation of the disease process(es) due to a lack of efficacious medical care.
14. In response to the incident in Finding of Fact Number Thirteen (13), Respondent stated that this event was a failure of communication, resultant to multi-systems issues.
15. On or about April 21, 2005, Respondent successfully completed a Board approved course in Nursing Documentation, which would have been a requirement of this Order.
16. On or about May 18, 2005, Respondent successfully completed a Board approved course in Nursing Jurisprudence, which would have been a requirement of this Order.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.

3. The evidence received is sufficient to prove violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(C)&(1)(N)[effect. 9/28/04],217.12(1),(3)&(4),and 217.12(1)(A),(1)(B)&(4)[effect. 9/28/04].
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 667113, heretofore issued to AMENA GUINN BABERS-DEWS, including revocation of Respondent's license to practice professional nursing in the State of Texas.

### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE § 211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to AMENA GUINN BABERS-DEWS, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A REGISTERED NURSE LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD.**

(2) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(3) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(4) RESPONDENT SHALL be supervised by a Registered 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 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.

(5) 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 Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional 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 Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 Board. When this Order is ratified, the terms of this Order become effective, 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

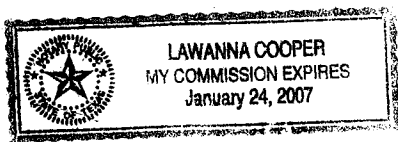
Signed this 8<sup>th</sup> day of November, 2006.

Amena Guinn Babers-Dews  
AMENA GUINN BABERS-DEWS, Respondent

Sworn to and subscribed before me this 8<sup>th</sup> day of November, 2006


SEAL

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



WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 8<sup>th</sup> day of November, 2006, by AMENA GUINN BABERS-DEWS, Registered Nurse License Number 667113, and said Order is final.

Effective this 11<sup>th</sup> day of December, 2006.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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