



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 C. Thomas*  
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 License Number 575243 § AGREED  
issued to SYBIL MARCEA BENT § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of SYBIL MARCEA BENT, License Number 575243, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on December 6, 2005, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from University Hospital of the West Indies, Moan, Jamaica West Indies, in April 1972. Respondent was licensed to practice professional nursing in the State of Texas on October 25, 1991.
5. Respondent's professional employment history includes:

6/76 to 8/90	RN, Nurse Manager Queen Elizabeth Hospital Toronto, Ontario, Canada
1977 to 1980	RN, Staff Nurse Toronto Doctor Hospital Toronto, Ontario, Canada

Respondent's professional employment history continued:

1980 to 1986	RN, Staff Nurse Toronto Western Hospital Toronto, Ontario, Canada
1986 to 1990	RN, Staff Nurse Century Hospital Canada
Unknown to 2/95	RN, Staff Nurse Methodist Hospital San Antonio, Texas
1991 to 1992	RN, Staff Nurse St. Luke's Hospital San Antonio, Texas
3/92 to 8/93	RN, Director of Nursing Guadalupe Valley Nursing Center Seguin, Texas
1993 to 1994	RN, Director of Nursing Castle Hills Nursing Home Castle Hills, Texas
1994 to 1996	RN, Director of Nursing San Antonio Convalescent Hospital San Antonio, Texas
8/96 to 1/00	RN, Surveyor Texas Department of Human Services San Antonio, Texas
1997 to 1998	RN Home Health Concepts San Antonio, Texas
1998 to Unknown	RN Home Care Dimensions San Antonio, Texas
7/01 to 12/03	RN, Director of Nursing Seguin Nursing and Rehabilitation Center Seguin, Texas
1/04 to Present	Unknown

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as the Director of Nursing with Seguin Nursing and Rehabilitation Center, Seguin, Texas, and had been in this position for one (1) year and five (5) months.
7. On or about December 3, 2002, through November 10, 2003, while employed as the Director of Nursing with Seguin Nursing and Rehabilitation Center, Seguin, Texas, Respondent allowed a LVN to work even though the LVN's license to practice vocational nursing had been revoked. Respondent states she was unaware that the LVN's license had been revoked. Respondent's conduct was likely to injure the residents in that she allowed an unlicensed person to perform nursing duties.
8. On or about March 2003, through December 2003, while employed as the Director of Nursing with Seguin Nursing and Rehabilitation Center, Seguin, Texas, Respondent hired four (4) persons as Certified Nurse Aides (CNAs) and allowed them to provide direct care to the residents. None of them had received certification as CNAs. Respondent's conduct was likely to injure the residents in that she allowed unlicensed lay staff to provide direct care to the residents.
9. On or about October 30, 2003, through November 12, 2003, while employed as the Director of Nursing with Seguin Nursing and Rehabilitation Center, Seguin, Texas, Respondent altered physician's prescription excuses for her daughter to be off in the morning due to an exacerbation of a chronic problem, in that Respondent changed the dates on several copies of the prescription. Respondent's conduct was deceitful and fraudulent.
10. On or about December 4, 2003, while employed as the Director of Nursing with Seguin Nursing and Rehabilitation Center, Seguin, Texas, Respondent misappropriated portions of the medical record of Resident Medical Record Number 20001 in that she removed and disclosed without authorization a portion of the record during her unemployment hearing. Respondent's conduct was a violation of the privacy regarding confidential information of the resident.

#### 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 violations of Section 301.452(b)(7)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6),(8),(11),(19),(20)&(21).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 575243, heretofore issued to SYBIL MARCEA BENT, including revocation of Respondent's professional license to practice 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 LIMITED LICENSE 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-size license issued to SYBIL MARCEA BENT, to the office of the Board of Nurse Examiners within ten (10) days from date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be

approved, the target audience shall include Nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found on the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

(4) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(5) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the RN and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(6) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

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RESPONDENT'S CERTIFICATION

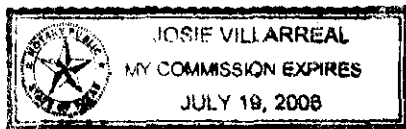
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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.

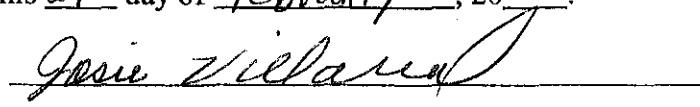
Signed this 24<sup>th</sup> day of February, 2006.

  
SYBIL MARCEA BENT, Respondent

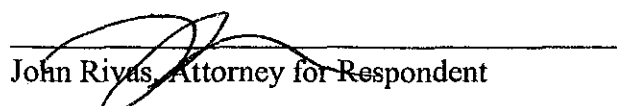
Sworn to and subscribed before me this 24<sup>th</sup> day of February, 2006.

SEAL



  
Notary Public in and for the State of TEXAS

Approved as to form only ~~and substance~~.

  
John Rivas, Attorney for Respondent

Signed this 28 day of February, 2006.

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 24<sup>th</sup> day of February, 2006, by SYBIL MARCEA BENT, License Number 575243, and said Order is final.

Effective this 20<sup>th</sup> day of April, 2006.



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