



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
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 606625 § AGREED
issued to JULIE KLESKI LAIN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JULIE KLESKI LAIN, Registered Nurse License Number 606625, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on December 6, 2007, by Katherine A. Thomas, MN, RN, Executive Director.

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, 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 an Associate Degree in Nursing from Odessa College, Odessa, Texas, on May 1, 1994. Respondent received a Baccalaureate Degree in Nursing from Texas Tech University, Lubbock, Texas, on May 16, 1998. Respondent was licensed to practice professional nursing in the State of Texas on July 11, 1994.
5. Respondent's professional nursing employment history includes:

07/94 Unknown

Respondent's professional nursing employment history continued:

08/94 - 01/00	RN-Director of Nursing	Ector County Health Department Odessa, Texas
1999 - 2001	RN-Infection Control	Desert Springs Psychiatric Hospital Midland, Texas
02/00 - 12/02	RN-Case Manager	Intracorp Inc. Carrollton, Texas
01/03 - 05/04	RN Director of Quality Management	Regency Hospital Odessa, Texas
06/04 - 07/04	Unknown	
08/04 - 06/05	RN-Case Manager	Intracorp Inc. Carrollton, Texas
06/05 - 09/05	RN Performance Improvement Manager	Select Specialty Hospital Midland, Texas
10/05 - 12/05	Unknown	
2006	RN-PRN	Permian Endoscopy Odessa, Texas
01/06 - 06/06	RN-Telemetry	Midland Memorial Hospital Midland, Texas
07/06 - present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Midland Memorial Hospital, Midland, Texas, and had been in this position for approximately four (4) months.
7. On or about April 28, 2006, while employed with Midland Memorial Hospital, Midland, Texas, Respondent failed to completely and accurately document the administration of Xanax in Patient Medical Record Number 4000050226's Medication Administration Record (MAR), Nurse's Notes or both. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

8. Regarding the conduct outlined in Finding of Fact Number Seven (7), Respondent admits that she documented in the nurses' notes that the patient was transported for MRI and documented the anti-anxiety medication in the nurses' notes as Ativan instead of Xanax.
9. On or about May 18, 2006, while employed with Midland Memorial Hospital, Midland, Texas, Respondent began the administration of D5½ NS + KCL 40 meq intravenously to Patient Medical Record Number 2000688888, without a valid physician's order. Respondent's conduct was likely to injure the patient in that the administration of D5½ NS + KCL 40 meq intravenously without a valid physician's order could result in the patient suffering from adverse reactions.
10. On or about May 18, 2006, while employed with Midland Memorial Hospital, Midland, Texas, Respondent failed to completely and accurately document the administration of D5½ NS + KCL 40 meq in Patient Medical Record Number 2000688888's Medication Administration Record (MAR), Nurses' Notes, or both. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.
11. Regarding the conduct outlined in Finding of Fact Number Nine (9) Respondent states that the patient had previously been receiving D5½ NS + KCL 40 meq intravenously. The patient's cardiac physician came up to the floor and after visiting the patient spoke with Respondent's preceptor. Respondent states she was passing medication at the time and did not get to speak with the physician. A short time later, the intravenous bag of D5½ NS + KCL 40 meq came up from the pharmacy. Respondent states that she checked the lab and recalled it was a little low. Respondent states she did not wait on the physician to write the order, as she thought the order had been renewed verbally while the physician was on the floor.

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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)(B)(C)(D) and §217.12(1)(A)&(4).
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 606625, heretofore issued to JULIE KLESKI LAIN, 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 Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, 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 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 the State of Texas.

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 JULIE KLESKI LAIN to the office of the Texas Board of Nursing within ten (10) days of the 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 and 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. 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, 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 Chemical Dependency, and Lying and Falsification. 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 at the following Board website address: <http://www.bon.state.tx.us/about/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful

completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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 at the following Board website address: <http://www.bon.state.tx.us/about/stipscourses.html>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: 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. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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 at the following Board website address: <http://www.bon.state.tx.us/about/stipscourses.html>.*

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program

provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address:*
<http://www.learningext.com/products/generalce/critical/ctabout.asp>.

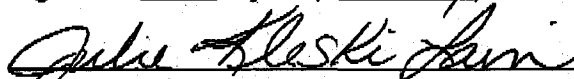
IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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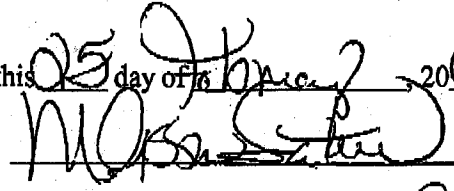
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RESPONDENT'S CERTIFICATION

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 when this Order becomes final and the terms of this Order become effective, 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 25 day of February, 2008.
JULIE KLESKI LAIN, RespondentSworn to and subscribed before me this 25 day of February, 2008.

SEAL


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 25th day of February, 20 08, by JULIE KLESKI LAIN, Registered Nurse License Number 606625, and said Order is final.

Effective this 28th day of February, 20 08.


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

