



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 Anesthetist, § AGREED
Registered Nurse License Number 560241, §
and Privilege to Practice from Kentucky §
Registered Nurse License Number 1041651, §
issued to PAULA SUE ROSE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PAULA SUE ROSE, Registered Nurse Anesthetist, Registered Nurse License Number 560241, and Privilege to Practice (PTP) from Kentucky Registered Nurse License Number 1041651, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 17, 2012, by Katherine A. Thomas, MN, RN, FAAN, 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(s).
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Baccalaureate Degree in Nursing from Eastern Kentucky University, Richmond, Kentucky, on May 1, 1979, and received a Certificate from The University Health Center of Pittsburgh School of Anesthesia, Pittsburgh, Pennsylvania, on August 26, 1988. Respondent was licensed to practice professional nursing in the State of Kentucky on September 7, 1979; was licensed to practice professional nursing in the State of Texas on May 8, 1990; and became Board recognized as a Nurse Anesthetist in the State of Texas on May 22, 1990.

4. Respondent's holds a license to practice professional nursing in the State of Texas, which is currently in Invalid status. Respondent is currently licensed to practice professional nursing in the State of Kentucky, a member of the Nurse Licensure Compact, and is authorized to practice as a Nurse Anesthetist in the State of Texas.

5. Respondent's nursing employment history includes:

5/1979 - 8/1984	Unknown	
9/1984 - 5/1986	Staff Nurse	Presbyterian University Hospital Pittsburgh, Pennsylvania
6/1986 - 8/1988	Unknown	
9/1988 - 9/1989	Staff CRNA	Eye & Ear Institute Pittsburgh, Pennsylvania
5/1989 - 9/1989	Staff CRNA	Allegheny General Hospital Pittsburgh, Pennsylvania
10/1989 - 4/1990	Staff CRNA	Moses Cone Memorial Hospital Greensboro, North Carolina
4/1990 - 7/1993	Locum Tenens/ CRNA	Mercy Hospital Charlotte, North Carolina
1/1991 - 8/2000	Locum Tenens/ CRNA	Carolinas Medical Center Charlotte, North Carolina
10/1991 - 12/2003	Locum Tenens/ CRNA	Spartanburg Regional Medical Center Spartanburg, South Carolina
8/1993 - 4/1996	Locum Tenens/ CRNA	Washington Hospital Center Washington, District of Columbia
4/1998 - 12/2004	Self employed CRNA	
9/2000 - 6/2001	Locum Tenens CRNA	Baptist Hospital Bowman Gray Gray Medical Center Winston-Salem, North Carolina

Nursing employment history continued:

1/2004 - 8/2004	Locum Tenens CRNA	Veterans Administration Hospital Albuquerque, New Mexico
8/2004- 12/2005	Locum Tenens CRNA	Providence Hospital El Paso, Texas
1/ 2006 - 8/2006	Locum Tenens CRNA	Allegheny General Hospital Pittsburgh, Pennsylvania
9/ 2006 - 12/2006	Locum Tenens CRNA	Cabell Huntington Hospital Huntington, West Virginia
5/2006 - 7/2007	Locum Tenens CRNA	Orthopedic Associates Rock Hill, South Carolina
7/2007 - 10/2007	Locum Tenens CRNA	Veterans Administration Hospital Salisbury, North Carolina
10/2007 - 6/2008	Locum Tenens CRNA	Carolinas Medical Center University Charlotte, North Carolina
7/2008 - 9/2008	Locum Tenens CRNA	Our Lady of Bellefonte Hospital Bellefonte, Kentucky
10/2008 - Present	Locum Tenens CRNA	Grandview & Southview Medical Centers Dayton, Ohio
1/2009 - 10/2009	Independent Contract CRNA	Southwest Anesthesia El Paso, Texas
11/2009 - Present	Independent Contract CRNA	Finesse Anesthesia Harlingen, Texas
2/2010 - Present	Staff CRNA	Brown County Hospital Georgetown, Ohio

6. At the time of the incidents in Finding of Fact Number Seven (7) and Nine (9), Respondent was practicing as a Registered Nurse Anesthetist at Providence Memorial Hospital, El Paso, Texas, and had been in this position for an unknown period of time.

7. On or about September 29, 2004, while employed as a Registered Nurse Anesthetist at Las Palmas Medical Center, El Paso, Texas, Respondent failed to document that she notified the surgeon that Patient WB had an abnormal chest x-ray and EKG results requiring a Cardiology consult for surgery clearance. Respondent's conduct may have resulted in an incomplete medical record which subsequent providers may have relied upon to make further patient care decisions.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that on September 8, 2004, the surgeon examined WB finding that her weight had increased since knee surgery in September of 2003, and she was 110 lbs overweight, with a past medical history of sleep apnea, hypertension, hypercholesterolemia, osteoarthritis, diabetes, hypothyroidism, and obesity. According to Respondent, a review of the patient's systems was unremarkable except for shortness of breath, bronchitis, and high blood pressure. Respondent states that Patient WB was admitted to Providence Memorial on September 29, 2004, for elective gastric by-pass surgery and the surgeon and the supervising anesthesiologist were notified of the chest x-ray result of cardiomegaly and an EKG with an anterior myocardial infarction with sinus rhythm. Respondent asserts that she discussed these findings with both physicians and the anesthesiologist signed off on the anesthesia plan. Respondent states that at the time of the procedure the patient did not require a cardiology consult as determined by the patient's surgeon and the supervising anesthesiologist.
9. On or about September 29, 2004, while employed as a Registered Nurse Anesthetist at Las Palmas Medical Center, El Paso, Texas, Respondent provided anesthesia to Patient WB, a 69 year old female bariatric surgery patient, who may not have been cleared for surgery by an appropriate physician. A cardiologist's assessment and clearance was not in the patient's medical record prior to surgery as required by the facility, nor was one placed in the medical record post operatively. Subsequently, the patient was discharged on September 30, 2004, went home and experienced a cardiac arrest and expired. Respondent's conduct possibly placed the patient at risk for cardiac complications.
10. In response to the Finding of Fact Number Nine (9), Respondent states she discussed these findings with both the surgeon and the supervising anesthesiologist, who signed off on the anesthesia plan of care, and made the medical determination that Patient WB did not require pre-operative cardiology clearance. Respondent states the surgery proceeded uneventfully and the patient went to the Post Anesthesia Care Unit (PACU) in stable condition, and then to the floor. Respondent states the patient was discharged home the next day, September 30, 2004, in stable condition with her daughter at 15:30, and at 16:26 the City of El Paso EMS arrived at the patient's house and found her on the floor unresponsive.

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 Sections 301.452(b)(10)&(13) and 304.001, Article 3, Texas Occupations Code, and Section 304.001, and 22 TEX. ADMIN. CODE §217.11(1)(B),(1)(D)&(4)(A) and 22 TEX. ADMIN. CODE §217.12(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Sections 301.452(b) and 304.001, Article 3, Texas Occupations Code, to take disciplinary action against Registered Nurse Anesthetist, Registered Nurse License Number 560241, and PTP from Kentucky Registered Nurse License Number 10416151, heretofore issued to PAULA SUE ROSE, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are

encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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, 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) 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. 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/disciplinaryaction/stipscourses.html>

(2) 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/disciplinaryaction/stipscourses.html>

(3) 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 Board-approved courses may be found at the following Board website address:*

<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall 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 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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 6th day of MARCH, 2012.
Paula Sue Rose
PAULA SUE ROSE, Respondent

Sworn to and subscribed before me this 6 day of MARCH, 2012.



JENNIFER WIELAND
Notary Public, State of Ohio
My Commission Expires
January 21, 2017

Jennifer Wieland
Notary Public in and for the State of Ohio

Approved as to form and substance.

Michael H. Wallis
Michael H. Wallis, Attorney for Respondent

Signed this 7th day of MARCH, 2012.

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 6th day of March, 2012, by PAULA SUE ROSE, Registered Nurse Anesthetist, Registered Nurse License Number 560241, and PTP from Kentucky Registered Nurse License Number 1041651, and said Order is final.



Effective this 9th day of March, 2012.

A handwritten signature in black ink that reads "Katherine A. Thomas".

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