BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 759256	§	
issued to AMY LORETTE TURNER	§	ORDER

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of AMY LORETTE TURNER, Registered Nurse License Number 759256, 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 March 23, 2011, 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(s).

2. Respondent waived informal proceedings, 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 Tyler Jr. College, Tyler, Texas, on May 9, 2008. Respondent was licensed to practice professional nursing in the State of Texas on July 29, 2008.

5. Respondent's nursing employment history includes:

5/2008 -6/2008	Unknown	
6/2008 - Present	RN Emergency Room	Good Shepherd Medical Center Longview, Texas

6. At the time of the initial incident, Respondent was employed as an Emergency Room Nurse with Good Shepherd Medical Center, Longview, Texas, and had been in this position for one (1) year and eight (8) months.

7. On or about February 26, 2010 through February 27, 2010, while working as a RN at Good Shepherd Medical Center, Longview, Texas, Respondent exceeded her scope of practice when she administered intravenous fluids to her child, utilizing veterinarian supplies, without being evaluated by a physician and without a physician's order. Respondent's actions were in excess of her nursing scope of practice and placed her daughter in an unnecessary risk of harm.

8. In response to Finding of Fact number Seven (7), Respondent admits to administering intravenous fluids to her daughter without being evaluated by a physician in response to signs and symptoms of dehydration. Respondent's daughter was dehydrated from playing softball all day and had vomited at least three times. Respondent obtained veterinary medical supplies to include intravenous fluid, tubing, and a sterile needle from her mother, who runs a kennel for animals. Respondent administered the intravenous fluids, and her daughter rapidly regained her health. Respondent submits that she is an Emergency Room Nurse and her actions were analogous to that of an Emergency Room Nurse or paramedic first responder in the healthcare field, who often identify the symptoms of dehydration in an individual and begin intravenous fluids prior to that individual being evaluated by a physician. Respondent states her daughter rapidly regained her health and felt that seeing a doctor was unnecessary.

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 of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(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 759256, heretofore issued to AMY LORETTE TURNER, including revocation of Respondent's license(s) to practice 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 a WARNING WITH STIPULATIONS AND A FINE, 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 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 Texas Board of Nursing 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 <u>not</u> 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 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://learningext.com/hives/a0f6f3e8a0/summary*.

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars ($250.00). RESPONDENT SHALL pay this fine within 45 days of entry 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.

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.

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 violation 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of April, 2011.

Amy Lorette Turner

AMY LORETTE TURNER, Respondent

Sworn to and subscribed before me this 14 day of April, 2011.

SEAL

Rebecca Champion

Notary Public in and for the State of Texas

REBECCA L. CHAMPION
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
10-18-2011

Approved as to form and substance.

Dan Lype, Attorney for Respondent

Signed this 18 day of April, 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 14th day of April, 2011, by AMY LORETTE TURNER, Registered Nurse License Number 759256, and said Order is final.

Effective this 10th day of May, 2011.

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