BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 511988	§	
issued to NANCY ALENE CRUCE	§	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 d, considered the matter of NANCY ALENE CRUCE, Registered Nurse License Nu 8, 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 proceedings, notice and hearing, and agreed to the entry of this Order offered on March 3, 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 Central Texas College, Killeen, Texas, on December 1, 1979. Respondent was licensed to practice professional nursing in the State of Texas on January 16, 1984.

5. Respondent's professional nursing employment history includes:

01/1984 - 03/1990	RN	Humana Hospital Clear Lake Webster, Texas

Respondent's complete professional nursing employment history continued:

03/1990 - 05/1993	RN	Oral Surgery Associates Webster, Texas
03/1993 - 11/1998	RN	VNA and Hospice of the Texas Gulf Coast Angleton, Texas
11/1998 - 02/1999	RN	AAA Home Health League City, Texas
03/1999 - 01/2000	RN	Classic Home Health Nassau Bay, Texas
02/2000 - 03/2001	RN	Foundation Surgery Center of Dickinson Dicknson, Texas
03/2001 - 10/2004	RN	Vista Medical Center Hospital Pasadena, Texas
10/2004 - 03/2005	RN	Trinity Mother Frances Hospital of Jacksonville, Jacksonville, Texas
04/2005 - 05/2006	RN	Vista Medical Center Hospital Pasadena, Texas
05/2006 - 08/2006	RN	Texas Spine and Joint Hospital Tyler, Texas
09/2006 - 01/2009	RN	Rusk State Hospital Rusk, Texas

01/2009 - Present Employment history unknown.

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Rusk State Hospital, Rusk, Texas, and had been in this position for two (2) years and two (2) months.

7. On or about December 7, 2008, while employed as a Registered Nurse with Rusk State Hospital, Rusk, Texas, Respondent emotionally and/or verbally abused Patient Medical Record Number 158250, in that she told the patient to "go in your room black girl" and "get

your big black butt in your room". Respondent's conduct was likely to injure the patient in that it exposed the patient unnecessarily to a risk of experiencing delayed distress which may not be recognized or felt by the patient until harmful consequences occur.

8. Formal Charges were filed on May 17, 2010.

9. Formal Charges were mailed to Respondent on May 24, 2010.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(B), (4)&(6)(C).

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 511988, heretofore issued to NANCY ALENE CRUCE, 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 LIMITED LICENSE with Stipulations, 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 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 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*.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: http://www.dads.state.tx.us/providers/Training/jointtraining.cfm or by contacting (512) 438-2201.*

(4) 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 Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(5) 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 violation alleged herein. By my signature on this Order, I agree to the 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 8 day of March, 2011.

Nancy Alene Cruce

NANCY ALENE CRUCE, Respondent

Sworn to and subscribed before me this 8th day of March, 2011.

SEAL

Notary Public in and for the State of Texas

MONTE ETHINGTON NOTARY PUBLIC STATE OF TEXAS EXPIRES 2-22-2013

Approved as to form and substance.

Rachel Sheeran, RN, Attorney for Respondent

Signed this 18 day of March, 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8th day of March, 2011, by NANCY ALENE CRUCE, License Number 511988, and said Order is final.

Effective this 28th day of April, 2011.

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