



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.  
*Patricia P. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of Registered Nurse                   §        AGREED  
License Number 662547                               §  
issued to JENNIFER WOODSON HURR           §        ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JENNIFER WOODSON HURR, Registered Nurse License Number 662547, hereinafter referred to as Respondent.

An informal conference was held on February 22, 2011, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Jeffrey C. Grass, Attorney at Law. In attendance were Bonnie Cone, MSN, RN, Nursing Practice Consultant, Executive Director's Designee; Lance Brenton, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Jolene Zych, MS, RN,C, WHNP, Advanced Practice Nursing Consultant, and Toni Frizell, RN,CNOR, Investigator.

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 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 Associate Degree in Nursing from Tarrant County Junior College, Ft. Worth, Texas, on May 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on July 20, 1999.
5. Respondent's nursing employment history includes:  
  
7/1999 - 7/2007       Unknown

Respondent's nursing employment history continued:

|                  |                      |   |
|------------------|----------------------|---|
| 8/2007 - 9/2008  | Staff Nurse          | Baylor All Saints Medical Center<br>Fort Worth, Texas   |
| 9/2008 - 2/2010  | Staff Nurse<br>(L&D) | Texas Health Harris Methodist Hospital<br>Cleburn, Texas  |
| 3/2010 - 7/2010  | Travel Nurse<br>L&D  | Nightingale Travel Nurse<br>Boca Raton, Florida assigned to<br>Northeast Baptist Hospital, San Antonio, Texas |
| 8/2010 - Present | Staff Nurse<br>L&D   | Northeast Baptist Hospital, San Antonio,<br>Texas   |

6. At the time of the initial incident, Respondent was employed as a Labor & Delivery Nurse with Texas Health Harris Methodist Hospital, Cleburne, Texas, and had been in this position for one (1) year and five (5) months.
7. On or about February 20, 2010, while working as a L&D Nurse at Texas Health Harris Methodist Hospital, Cleburne, Texas, Respondent failed to timely assess and intervene when the Twin "B" of Patient Medical Record Number 223817 demonstrated an absence of fetal heart tones. Respondent failed to note two (2) heart tones, one for each twin, and failed to recognize the unlikelihood that the twin's heart tones were completely and consistently synchronized. Less than four (4) hours after Respondent's shift, an ultrasound and color Doppler revealed that Twin "B" had suffered an intrauterine fetal demise, which, based on tissue exam, occurred during Respondent's shift. Respondent's conduct may have contributed to the fetal demise of Twin "B".
8. On or about February 20, 2010, while working as a RN at Texas Health Harris Methodist Hospital, Cleburne, Texas, Respondent documented in error what she believed to be stable fetal heart-tones for both twins of Patient Medical Record Number # 223817, despite the absence of tracings of fetal heart tones for Twin "B" on the external monitor. Respondent's conduct resulted in an inaccurate medical record.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states she believed there were two babies, but they were just having a hard time picking up the second one due to the position of the fetus. Respondent states she double and triple checked with her labor partner. An ultrasound was performed the next shift which showed only one reactive fetal heart tracing; however, Respondent states it never crossed her mind that anything was wrong and she never had a concern to call the physician back. When reviewing the chart and asked how she charted Fetal Heart tone tracings on Baby "B", she stated it was her automatic charting and she probably shouldn't have done that.
10. Charges were filed on July 28, 2010.
11. Charges were mailed to Respondent on July 29, 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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A), (1)(B), (1)(C), (1)(D), (1)(M)&(3)(A) 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 662547, heretofore issued to JENNIFER WOODSON HURR, 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 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 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 this workshop may be found at the following web address: <http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

(4) RESPONDENT SHALL within one (1) year of entry of this Order, successfully complete a course in "Intermediate Fetal Monitoring." The course must be of at least 15 contact hours in duration and must be approved by the Association of Women's Health, Obstetric and Neonatal Nurses (AWHONN). 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.

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND**

**PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if

necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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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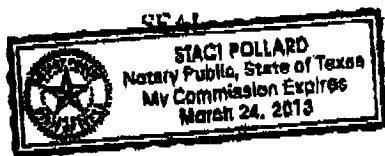
**RESPONDENT'S CERTIFICATION**

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 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 21 day of March, 2011.

Jennifer Woodson Hurr  
JENNIFER WOODSON HURR, Respondent

Sworn to and subscribed before me this 21 day of March, 2011.



Staci Pollard  
Notary Public in and for the State of Texas

Approved as to form and substance.


Jeffrey Grass  
Jeffrey Grass, Attorney for Respondent

Signed this 20<sup>th</sup> 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 21<sup>st</sup> day of March, 2011, by JENNIFER WOODSON HURR, Registered Nurse License Number 662547, and said Order is final.

Effective this 28th day of April, 2011.



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