BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 604305	§	
issued to AUDRA LOUISE LAFITTE	§	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

An investigation by the Texas Board of Nursing, hereinafter referred to as the produced evidence indicating that AUDRA LOUISE LAFITTE, hereinafter referred to as Respondent, Registered Nurse License Number 604305, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on July 6, 2010, 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 Amanda M. Diaz, Attorney at Law. In attendance were Denise Benbow, MSN, RN, Practice Consultant, Executive Director's Designee; Lance Brenton, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Dominique Mackey, Investigator, and Bonnie Krznarich, 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 consented 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 Lee College, Baytown, Texas, on May 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on June 15, 1994.

5. Respondent's nursing employment history includes:

1994 - 1995	Pool RN Liberty Baptist Hospital Liberty, Texas
01/95 - 06/98	Nurse Clinician University of Texas Medical Branch Galveston, Texas
06/98 - 09/98	Staff Nurse - Travel Texas Children's Hospital Houston, Texas
10/98 - 12/99	Lead RN Columbia Bayshore Medical Center Pasadena, Texas
12/99 - 03/01	Nurse Clinician San Jacinto Methodist Hospital Baytown, Texas
05/01 - 11/02	Nurse Clinician - Pool Bayside Community Hospital Anahuac, Texas
06/01 - 11/02	Nurse Clinical Christus St. Elizabeth Hospital Beaumont, Texas
11/02 - 01/06	Nurse Clinician San Jacinto Methodist Hospital Baytown, Texas
03/06 - 11/06	Not employed as a Nurse
11/06 - 02/07	Nurse Christus Health St. Elizabeth Beaumont, Texas
03/07 - Present	Nurse City of Baytown Baytown, Texas

Employment History Continued:

08/07 - 08/08	Nurse Memorial Hermann Northeast Hospital Humble, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Hermann Memorial Northeast Hospital, Humble, Texas, and had been in this position for one (1) year.

7. On or about August 11, 2008, while employed as a Registered Nurse with Memorial Hermann Northeast Hospital, Humble, Texas, Respondent physically abused Patient DLB, in that Respondent slapped the back of the patient's head when she was having trouble breathing, and told her to "Settle down."

8. In response to Finding of Fact Number Six (6), Respondent states that around 2330 hours on August 11, 2008, she was working in the Triage area at Memorial Hermann Northeast Hospital, Humble, Texas, and a patient entered the triage area. She was in the emergency room because of severe breathing problems. She was hysterical and using profanity against the staff. Furthermore, she was unable to focus or follow directions, which was dangerous for the Patient because of her already strained breathing. The patient became extremely aggressive towards one EMT who tried to speak to her. Leslie Roberts, a nurse, was assisting the patient when the patient appeared to make an attempt to stand. She was not able to, however, and was assisted into a nearby rolling desk chair. The Patient then yelled at a police officer who was attempting to assist her with an inhaler. She continued to hysterically yell and use profanity.

   The patient was clearly out of control, and becoming aggressive towards everyone in the triage area. In an attempt to get the patient to slow her breathing and to focus and pay attention to instructions so that patient assessment could be conducted, she tapped the patient on the back of the head in an attempt to get the patient to focus and pay attention to instructions to slow her breathing and allow patient assessment to be conducted. The patient immediately became combative and yanked Respondent's name tag to pull her down toward her face. The patient swung her right arm at Respondent and kicked her in the left thigh with her right foot. Kirk Powell, an EMT, entered the triage area and attempted to assist Respondent with the patient. The patient was rolled into the second triage area and sliding door closed after another attempt to calm and assess patient. The patient's airway was noted intact as she continued to yell and cuss without impediment. A police officer remained at her side, and Respondent presumes that was because of the danger she posed to self and others.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(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 604305, heretofore issued to AUDRA LOUISE LAFITTE, 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 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 pay a monetary fine in the amount of five hundred dollars ($500). RESPONDENT SHALL pay this fine within forty-five (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.

(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 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.*

(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 "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.*

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 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 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 to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10 day of January, 2011.

AUDRA LOUISE LAFITTE, Respondent

Sworn to and subscribed before me this 10 day of January, 2011.

SEAL

ROCIO MC CARTNEY
Notary Public
STATE OF TEXAS
My Comm. Exp. 11-02-14

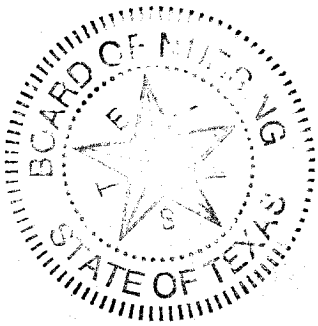
Notary Public in and for the State of Texas

Approved as to form and substance.

~~Amanda Diaz~~, Attorney for Respondent
Jason Partney

Signed this 12 day of January, 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10th day of January, 2011, by AUDRA LOUISE LAFITTE, Registered Nurse License Number 604305, and said Order is final.



Effective this 8th day of February, 2011.

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