



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. Roman
Executive Director of the Board

BOARD OF VOCATIONAL NURSE EXAMINERS * STATE OF TEXAS
VS. *
MARY RUTH O'NEILL. * COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 122956 held by MARY RUTH O'NEILL, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of Article 4528c, Section 10 (a) (9), Revised Civil Statutes of Texas, in the following manner:

- a. Respondent was employed as a Licensed Vocational Nurse at Performance Management and on assignment to Premium Healthcare, Inc. in San Antonio, Texas, during May 20, 1994 through about May 23, 1994.
- b. While so employed, on or about May 20, 1994, Respondent picked up her schedule from Performance Management for her May 21, 1994 and May 22, 1994, home healthcare nursing assignments through Premium Healthcare, Inc.

AGREED BOARD ORDER
RE: MARY RUTH O'NEILL
PAGE 2

c. While so employed, on or about May 21, 1994 and May 22, 1994, Respondent failed to cover her assigned visits for Premium Healthcare, Inc., and failed to notify the appropriate personnel that she would not be providing patient care.

d. As a result of Respondent's failure to cover her assigned home healthcare nursing visits on or about May 21, 1994, patient A. Lujan did not receive his morning decubitus treatment until about 3:20 p.m. and patient R. Narvaiz did not receive her morning insulin until about 2:45 p.m.

e. On or about May 23, 1994, when questioned by the Director of Human Resources for Performance Management, Respondent acknowledged her failure to cover her assigned visits on May 21, 1994 and May 22, 1994.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order and in the Formal Complaint previously filed with respect to the above mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Respondent does hereby waive the right to a Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

AGREED BOARD ORDER
RE: MARY RUTH O'NEILL
PAGE 3

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED that license number 122956, heretofore issued to MARY RUTH O'NEILL to practice vocational nursing in the State of Texas be, and the same is hereby suspended, with said suspension stayed and placed on probation for a period of nine (9) months.

The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.
2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Vocational Nurse Act and Rules and Regulations of the Board.
3. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her nursing employer(s) throughout the term of probation.
4. That Respondent shall cause his/her nursing employer(s) to submit satisfactory reports directly to the Board office on a monthly basis for the first six (6) months of probation. Thereafter, and throughout the remainder of said probation, Respondent shall cause his/her nursing employer(s) to submit satisfactory reports directly to the Board office on a quarterly basis.
5. That any period(s) of unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. 4.
6. That Respondent shall work only under the direct supervision of a licensed medical professional throughout the term of probation.
7. That Respondent shall not be employed by a nurse registry/temporary nurse agency or as a private duty nurse throughout the term of probation.
8. That Respondent shall not be the only licensed medical professional in the facility.

AGREED BOARD ORDER
 RE: MARY RUTH O'NEILL
 PAGE 4

9. That Respondent shall successfully complete nursing program course(s) encompassing the following areas of study: Legal Aspects of Nursing (to include Charting, & Patient Confidentiality), and submit documentation of successful course completion to the Board office within the first six (6) months of probation. Respondent shall be responsible for locating said course(s) and obtaining approval of Board staff prior to committing to said course(s). Said course(s) shall be correspondence (through a recognized provider), in-house at a community college, university or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Dated this the 17th day of May, 1995.

APPROVED:

JM Hendrex
 James M. Hendrex
 Attorney for Respondent

Mary R. O'Neill
 Signature of Respondent

2507 Hidden Glen
 Current Address

San Antonio Tx. 78232
 City, State and Zip

210, 721-3212
 Area Code and Telephone Number

The State of Texas
 County of BEXAR

Before me, the undersigned authority, on this day personally appeared MARY RUTH O'NEILL, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

AGREED BOARD ORDER
RE: MARY RUTH O'NEILL
PAGE 5

SWORN TO AND SUBSCRIBED before me on this the 17th day of May,
19 95.

Edwin D. Cantu
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 1-11-96

Marjorie A. Bronk
Marjorie A. Bronk, R.N.
Agent for the Board of
Vocational Nurse Examiners.

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 27th
May, 19 95.



Linda Rae Kent
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

AGREED BOARD ORDER

RE: MARY RUTH O'NEILL, LVN #122956

PAGE 6

ENDORSEMENT OF THE BOARD
To The Agreed Board Order
in the matter of Vocational Nurse
License No. 122956
Issued to MARY RUTH O'NEILL

At its regularly called session, on the 13th day of June, 1995, came on to be considered the indicated Agreed Board Order pertaining to Mary Ruth O'Neill. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered on this the 13th day of June, 1995.

Ruth L. Brad
 Maria A. Parkerson
 Robert Williams
 Virginia F. King
 Dale M. Robinson
 Josephine Lewis
 Janet Wood, LVN
 Melba Lee, LVN

Janet Lewis
 Susan Cheney
 Carol M. Buehler

BOARD ORDER

RE: MARY RUTH O'NEILL, LVN #122956

PAGE: 7

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of June, 1995,
a true and correct copy of the foregoing Order was served by placement in the
U.S. Mail, first class, and addressed to the following person(s):

MARY RUTH O'NEILL
2507 HIDDEN GLEN
SAN ANTONIO, TX 78232

JAMES M. HENDREX
ATTORNEY AT LAW
219 E. CRAIG PLACE
SAN ANTONIO, TX 78212

Marjorie A. Bronk
Marjorie A. Bronk, RN
Executive Director
Agent for the Board of Vocational Nurse Examiners