BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 651649 and Vocational	§	
Nurse License Number 160484	§	ORDER
issued to JASON HINDS	§	

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 JASON HINDS, Registered Nurse License Number 651649 and Vocational Nurse License Number 160484, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 26, 2010, 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.

2. Respondent waived representation by counsel, 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. Respondent's license to practice vocational nursing in the State of Texas is currently in "delinquent" status.

4. Respondent received a Certificate in Vocational Nursing from Odessa College, Odessa, Texas, on August 16, 1996, and received an Associate Degree in Nursing from Odessa College, Odessa, Texas, on December 1, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on October 30, 1996, and was licensed to practice professional nursing in the State of Texas on June 23, 1998.

5. Respondent's nursing employment history includes:

1996	Per Diem Nurse	Medical Center Hospital
1997 - 1999		Unknown
2000	Medical Practice Office Manager	Montbello Healthcare Montbello, Colorado
2001 - 2005	Travel Nurse	Nursing Professionals by Contract Odessa, Texas
2005	Home Care - Field RN	Gentiva Home Health Fort Worth, Texas
2006	Home Care - Field RN	Medcare at Home Grapevine, Texas
2006	Home Care - Branch Manager	Paradigm Rehabilitation and Nursing Fort Worth, Texas
2006	Home Care - Field Nurse	Interim Healthcare Fort Worth, Texas
2007	Assistant Director of Nursing	Brookdale Senior Living Fort Worth, Texas
2008	Home Care - Team Leader	Home Health Services Fort Worth, Texas
2009	Home Care - Field Nurse	Reachout Home Care Fort Worth, Texas
11/2009 - 1/2010	Home Care - Field Nurse	Perfect Home Care, Inc. Fort Worth, Texas
2/2010 - Present		Unknown

6. On or about October 2006 through December 2006, while employed with Interim Home Health Care, Fort Worth, Texas, Respondent:
   - Failed to assess his clients, including obtaining vital signs;
   - Falsified documentation by recording vital signs that were never obtained from clients; and
   - Failed to adequately provide nursing care to his clients by routinely shortening or omitting client visits, not visiting his scheduled clients while he was on-call, and not

drawing timed drug levels without notifying either the client or the home health agency.

Respondent's conduct was likely to injure his clients in that they were not receiving the care that they required. Subsequent care givers would have based care decisions upon information which was incomplete and incorrect.

7. On or about December 2008 through January 2009, while employed with Home Health Services of Texas, Carrollton, Texas, Respondent exceeded his scope of practice when he gave Patient Medical File Number G03059 samples of vitamin supplements, which he was selling, without a physicians' order. Respondent's conduct could have caused the patient to experience unexpected effects from the vitamins or could have caused interactions with patient medications.

8. In response to the incidents in Findings of Fact Numbers Six (6) and Seven (7), Respondent states that his income had been very little for a couple of months and he was trying to cut corners. Respondent states that he gave the patient vitamin supplement samples with the understanding that the patient was to take them to his physician to get the physician's approval to take the vitamins.

9. On or about November 10, 2009, through January 4, 2010, while employed with Perfect Home Care, Inc., Fort Worth, Texas, Respondent:
   - Failed to assess and/or completely document assessment of his clients, including wound assessments and vital signs;
   - Falsified documentation recording vital signs that were never obtained from clients; and
   - Failed to adequately provide nursing care to his clients by routinely shortening or omitting client visits, failed to visit his scheduled clients.

   Respondent's conduct was likely to injure his clients in that they were not receiving the care that they required. Subsequent care givers would have based care decisions upon information which was incomplete and incorrect.

10. In response to the incidents in Finding of Fact Number Nine (9), Respondent states that he completely assessed and documented his assessment including wound measurements and vital signs to every patient assigned to him. He never falsified documentation. Respondent states he completed each visit within the prescribed duration set by applicable regulations.

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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)(D)&(3)(A) and 217.12(1)(A),(1)(B),(1)(C),(4),(6)(A)&(6)(H).

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 651649 and Vocational Nurse License Number 160484, heretofore issued to JASON HINDS, including revocation of Respondent's licenses 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 licenses 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://www.learningext.com/products/generalce/critical/ctabout.asp.*

(4) RESPONDENT SHALL pay a monetary fine of five hundred dollars ($500.00). 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.

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) OR VOCATIONAL NURSE (LVN) 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 licenses. 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 licenses. 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 licenses to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure 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 waive representation by counsel. 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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 1 day of Oct, 2010.

JASON HINDS, Respondent

Sworn to and subscribed before me this 1st day of October, 2010.

SEAL

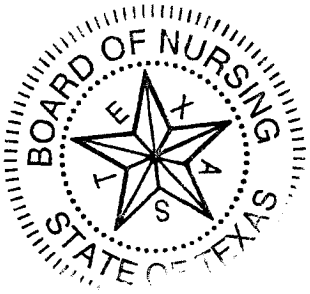
SAMUEL D. TRAMMELL
Notary Public
STATE OF TEXAS
Commission Expires 04/21/2014

Notary Public in and for the State of Texas

SAMUEL D. TRAMMELL
Notary Public
STATE OF TEXAS
Commission Expires 04/21/2014

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 1st day of October, 2010, by JASON HINDS, Registered Nurse License Number 651649 and Vocational Nurse License Number 160484, and said Order is final.

Effective this 9th day of November, 2010.



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