



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 464043 §
issued to SHARON MARIE MARSDEN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of SHARON MARIE MARSDEN, Registered Nurse License Number 464043, 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 June 17, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

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 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.
4. Respondent received a Diploma in Nursing from Samaritan Hospital School of Nursing, New York, New York on June 1, 1981. Respondent was licensed to practice professional nursing in the State of Texas on May 27, 1982
5. Respondent's nursing employment history includes:

1982 - 1984	Charge Nurse	Scott and White Hospital Temple, Texas
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Respondent's nursing employment history continued:

1984 - 1992	Staff Nurse	Seton Medical Center Austin, Texas
1989 - 1992	Staff Nurse	Round Rock Hospital Round Rock, Texas
1992 - 1997	Staff Nurse	Brackenridge Hospital Austin, Texas
1997 - 2006	Staff Nurse	Seton Medical Center Austin, Texas
2003 - 2007	Instructor	Austin Community College Austin, Texas
10/2006 - 4/2007	Charge Nurse	EVINS Medical Staff Relief Austin, Texas
6/2007 - Present	RN Consultant	Eldercare Austin, Texas
6/2007 - Present	Charge Nurse	Heritage Duval Gardens Austin, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Heritage Duval Gardens, Austin, Texas, and had been in this position for eleven (11) months.
7. On or about May 7, 2008, while employed as a Staff Nurse with Heritage Duval Gardens, Austin, Texas, Respondent failed to call the Emergency Medical Service (911) as requested by the resident's family member when the family member perceived that the resident was experiencing a change in mentation. Instead, Respondent assessed the resident, called the facility's nurse practitioner for approval and then contacted the facility's approved, contracted transportation provider as instructed by the nurse practitioner. Respondent's conduct may have delayed the resident's arrival at an acute care facility, where he was assessed, and released back to the nursing home

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states the family member had been visiting the resident and reported a change in mental status. Respondent states she assessed the patient and called the nurse practitioner who agreed to send the patient to the hospital via the facility's contracted transportation provider. Respondent states that while she was arranging transport she heard the sirens and the Emergency Medical Service, who had been called from the resident's room by the family member, arrived to transport the resident to the hospital.
9. On or about April 1, 2009, while applying for Registered Nurse License Renewal, Respondent answered affirmatively to question number four (4): "In the past 5 years, have you been diagnosed with or treated or hospitalized for schizophrenia or other psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?" Respondent may lack fitness to practice nursing in that she has been diagnosed with Bipolar Disorder. Respondent's condition could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
10. In response to the incident in Finding of Fact Number Nine (9), Respondent submitted a statement from her physician, which stated Respondent has been treated by him since June 2007 and that she is currently consistent with follow up visits and medications, her mood is stable and her prognosis is good with continued treatment.

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)(B) and 22 TEX. ADMIN. CODE §217.12(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 464043, heretofore issued to SHARON MARIE MARSDEN, 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 REMEDIAL EDUCATION, 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 State of Texas 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://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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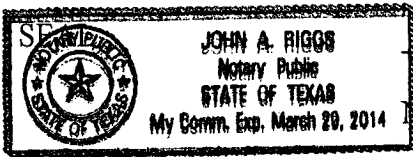
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RESPONDENT'S CERTIFICATION

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 when this Order becomes final and the terms of this Order become effective, 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.

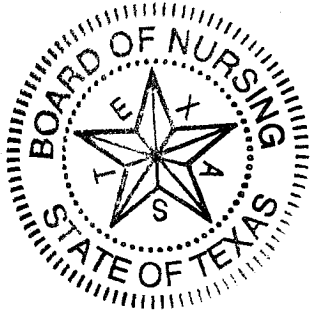
Signed this 9th day of August, 2010.
Sharon Marie Marsden
SHARON MARIE MARSDEN, Respondent

Sworn to and subscribed before me this 9th day of August, 2010.




John A. Riggs
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 9th day of August, 2010, by SHARON MARIE MARSDEN, Registered Nurse License Number 464043, and said Order is final.



Effective this 18th day of August, 2010.


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