



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

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In the Matter of Vocational Nurse                                   §            AGREED  
License Number 190470   §  
issued to BRITTNY VALENCIA JOHNSON                           §            ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of BRITTNY VALENCIA JOHNSON, Vocational Nurse License Number 190470, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived 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.

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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Tyler Junior College, Tyler, Texas, on August 8, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on September 24, 2003.
5. Respondent's nursing employment history includes:

2003 - 2005	Staff Nurse	Maximum Health Care Dallas, Texas
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Respondent's nursing employment history continued:

2004 - 2007	Staff Nurse	Interim Healthcare Dallas, Texas
2005 - 2008	Staff Nurse	Epic Medstaff Dallas, Texas
2007 - 2008	Staff Nurse	Pinecrest Nursing and Rehabilitation Tyler, Texas
2008 - 2010	Staff Nurse	Maximum Health Care Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Interim Healthcare, and had been in this position for three (3) years.
7. On or about April 3, 2007, through April 4, 2007, while employed with Interim Healthcare of Dallas, Dallas, Texas, and caring for Patient AS, Respondent failed to document the administration of fluid flushes via the nasogastric tube of the patient, which she administered without a physician's order. Respondent's conduct resulted in an inaccurate, incomplete medical record, and was likely to injure the patient in that subsequent care givers would rely on her documentation in order to provide further patient care.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent admits that she did not document the fluid flushes and the fluid flushes were not on the Medication Administration Record (MAR). According to Respondent, she administered the fluid flushes as a nursing measure to help keep the patient hydrated because the patient was having fever at the time.
9. Charges were filed on November 12, 2009.
10. Charges were mailed to Respondent on November 19, 2009.

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 violation of Section 301.452(b)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(C)&(1)(D).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 190470, heretofore issued to BRITTNY VALENCIA JOHNSON, including revocation of Respondent's license to practice vocational 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 is 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 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>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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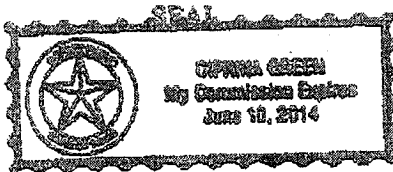
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**RESPONDENT'S CERTIFICATION**

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the findings of fact, conclusions of law, Order, and any conditions of this 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12<sup>th</sup> day of August, 2010.  
Brittney Valencia Johnson  
BRITTNY VALENCIA JOHNSON, Respondent

Sworn to and subscribed before me this 12<sup>th</sup> day of August, 2010.



Cynthia Green  
Notary Public in and for the State of Texas


Approved as to form and substance.  
Shezad Malik  
Shezad Malik, Attorney for Respondent

Signed this 17<sup>th</sup> day of AUGUST, 2010.

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 12<sup>th</sup> day of August, 2010, by BRITTNY VALENCIA JOHNSON, Vocational Nurse License Number 190470, and said Order is final.



Effective this 19<sup>th</sup> day of August, 2010.

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