BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Licensed Vocational Nurse	§	AGREED
License Number 186473	§	
issued to ROBIN RUTHMARTHA KARVONEN	§	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

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of ROBIN RUTHMARTHA KARVONEN, Vocational Nurse License Number 186473, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 6, 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 Army Practical Nurse Course, Fort Sam Houston, Texas, on September 20, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on October 31, 2002.

5. Respondent's vocational nursing employment history includes:

10/02 - 7/03	Staff Nurse	Paramount Rehabilitation Center Unknown

Respondent's vocational nursing employment history continued:

1/03 - 4/03	Staff Nurse	Army Residence Community Unknown
5/03 - 10/03	Staff Nurse	Continuous Care Solutions Unknown
11/03 - 10/04	Staff Nurse Orthopedics	Spectrum Healthcare Resources San Antonio, Texas
11/04 - 4/06	Staff Nurse Medical/Surgical	Dwight D. Eisenhower Hospital Unknown
5/06 - 6/06	Unknown	
7/06 - 3/07	Staff Nurse Medical/Surgical	Spectrum Healthcare Resources San Antonio, Texas
4/07 - 5/07	Unknown	
6/07 - 7/07	Staff Nurse Triage/On-Call	Bishop Davies Hospice LLC Hurst, Texas
8/07 - Present	Staff Nurse On-Call	Bishop Davies Hospice LLC Hurst, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Triage/On-Call Staff Nurse with Bishop Davies Hospice, LLC, Hurst, Texas, and had been in this position for one (1) month.

7. On or about July 28, 2007, while employed as a Triage/On-Call Staff Nurse with Bishop Davies Hospice LLC, Hurst, Texas, Respondent exceeded her scope of practice as a Licensed Vocational Nurse (LVN) in that she was the primary nurse required to take after hours phone calls, make visits, do assessments and intervene when necessary for patients including, but not limited to Patient Medical Record Number 191. This position required Respondent to perform comprehensive assessments and make medical decisions for which she lacked the educational preparation, experience and knowledge. Respondent's conduct unnecessarily exposed the patients to risk of harm from clinical care decisions formulated with incomplete/inaccurate assessment information.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she was hired for the position as an on-call nurse for Hospice patients. "I also worked with an on-call RN and Doctor who were available to me by phone to handle situations above my scope of practice." In regards to Patient Medical Record Number 191, Respondent states that she

was called to see this patient for a change in condition. Respondent explains that when she arrived the patient was nonverbal and rocking from side to side. She contacted the Medical Director of the Hospice and received orders for ABH Gel and Roxanol. The facility staff nurse administered ABH Gel and the patient subsequently calmed down so Respondent could complete her assessment. Respondent goes to explain that Roxanol had not been delivered from the pharmacy. Respondent states that she spoke with the patient's daughter and informed her of the new medications and what they were for. Respondent stayed until the Roxanol was delivered and she administered the first dose. After approximately hours of monitoring the patient, Respondent states that she left the facility. Approximately one hour after Respondent left, the facility called stating that the patient was cyanotic and that the family wanted the patient transferred to the hospital, which was done. Respondent asserts that she was in compliance with the guidelines in the Board's Frequently Asked Questions, "as evidenced by the agency, Bishop Hospice L.L.C. having in place an established, standardized and validated process that guides the LVN through a specific pathway.... related to this resident's current diagnosis and health status. This process includes a Plan of Care developed by supervisors of the facility which includes the RN Case Manager, Physician, Social Worker and Patient Care Coordinator RN and Included General Patient Assessment, Identified Problems, Interventions and Goal Criteria for the patient's deficits."

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)(T)&(2)(A) and 217.12(1)(A),(3)&(4).

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 186473, heretofore issued to ROBIN RUTHMARTHA KARVONEN, 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. 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 to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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CONTINUED ON NEXT PAGE.

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 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 3 day of June, 2010.

Robin Ruthmartha Karvonen

ROBIN RUTHMARTHA KARVONEN, Respondent

Sworn to and subscribed before me this 3 day of June, 2010.

SEAL

Rose Douglas

Notary Public in and for the State of Texas

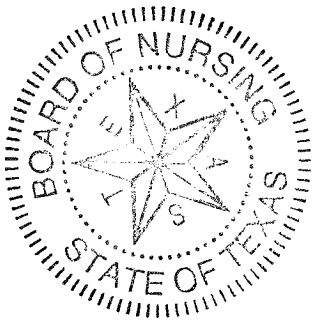
Approved as to form and substance.

Jeni Ward, Attorney for Respondent

Signed this 3 day of June, 2010.

ROSE M. DOUGLAS
Notary Public, State of Texas
My Commission Expires
July 02, 2011

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 3rd day of June, 2010, by ROBIN RUTHMARTHA KARVONEN, Vocational Nurse License Number 186473, and said Order is final.



Effective this 7th day of June, 2010.

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