

BEFORE THE 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.
Katherine A. Thomas
Executive Director of the Board

In the Matter of Registered Nurse § AGREED
License Number 501195 and Vocational §
Nurse License Number 27834 §
issued to DORA L. JACKSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of DORA L. JACKSON, Registered Nurse License Number 501195 and Vocational Nurse License Number 27834, 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 May 7, 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 licenses.
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 in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Orange Memorial Hospital School of Nursing, Orange, Texas, on August 31, 1963; and received an Associate Degree in Nursing from Lamar University, Beaumont, Texas, on May 1, 1982. Respondent was licensed to practice vocational nursing in the State of Texas on October 19, 1963; and was licensed to practice professional nursing in the State of Texas on September 15, 1982.

5. Respondent's nursing employment history includes:

10/63 - 2/89 Unknown

3/89 - Present Clinic Supervisor Jasper Newton County Public Health District
Jasper, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Clinical Supervisor with Jasper Newton County Public Health District, Jasper, Texas, assigned to the Kirbyville Clinic, Kirbyville, Texas, and had been in this position for nineteen (19) years.

7. On or about March 24, 2008, while employed as a Clinical Supervisor with Jasper Newton County Public Health District, Jasper, Texas, and assigned to the Kirbyville Clinic, Kirbyville, Texas, Respondent practiced outside of her scope in that she performed a complete physical examination on Patient R.M. During this examination, Patient R.M. informed Respondent that she had experienced rectal bleeding 2 weeks prior to the appointment at which time Respondent performed a rectal exam on the patient and gave the patient instructions on collecting three (3) stool specimens that were to be tested for blood, without notifying the physician. However, Respondent did schedule the patient for a followup appointment with the physician on March 27, 2008. Respondent's position required her to make clinical and medical decisions, including diagnosing, for which she lacks the educational preparation, experience and knowledge. Respondent's conduct unnecessarily exposed the patient to the risk of harm.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she had "additional training" which allowed her to perform physical exams and assessments. "I did this examination under the Standing Delegating Orders and protocols of Jasper Newton County Public Health District signed by Dr. J. B. Spencer. Therefore, I feel like I was practicing within my scope of practice when I performed a physical examination on Patient R.M. She complained of rectal bleeding 2 weeks prior to March 24, 2009. A complete physical was done including a rectal exam. Guaiac for occult blood at the time of the physical was negative. Findings of Guaiac noted on lab flow sheet but not on exam sheet." Respondent explains that hemoccult kits were given to the patient with instructions on diet and how to obtain the specimen and a followup appointment was made for March 27, 2008. Respondent adds that the followup appointment was not documented on the exam sheet. "Dr. Spencer saw the patient on March 27, 2008 and ordered a CBC and SMAC which was obtained."

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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)(T)&(3)(A) and 217.12(1)(A)&(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 501195 and Vocational Nurse License Number 27834, heretofore issued to DORA L. JACKSON, 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 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 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 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 to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact 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 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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 2 day of June, 2010.

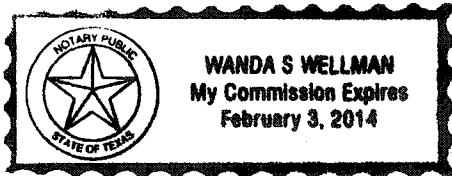
Dora L Jackson
DORA L. JACKSON, Respondent

Sworn to and subscribed before me this 2nd day of June, 2010.

Wanda S. Wellman

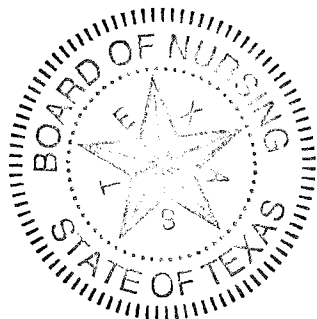
Notary Public in and for the State of Texas


SEAL



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 2nd day of June, 2010, by DORA L. JACKSON, Registered Nurse License Number 501195 and Vocational Nurse License Number 27834, and said Order is final.

Effective this 8th day of June, 2010.




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