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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 608399	§	
issued to KELLY LEA COOK	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the considered the matter of KELLY LEA COOK, Registered Nurse License Number 608399, 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 February 25, 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 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 an Associate Degree in Nursing from El Centro College, Dallas, Texas, on May 12, 1994. Respondent was licensed to practice professional nursing in the State of Texas on July 26, 1994.

5. Respondent's professional nursing employment history includes:

07/1994 - 01/2002	RN	Various Physical Rehabilitation / Day Surgery /Home Health Facilities

Respondent's professional nursing employment history continued:

02/2002 - Present	RN	McKinney Independent School District McKinney, Texas

6. On or about August 8, 2002, Respondent was issued the sanction of a Fine through an Agreed Order by the Board. A copy of the Agreed Order, including the Findings of Fact, Conclusions of Law, and Order, dated August 8, 2002, is attached and incorporated herein by reference as part of this Order.

7. On or about September 10, 2004, Respondent was issued the sanction of a Fine through an Agreed Order by the Board. A copy of the Agreed Order, including the Findings of Fact, Conclusions of Law, and Order, dated September 10, 2004, is attached and incorporated herein by reference as part of this Order.

8. At the time of the initial incident, Respondent was employed as an RN with McKinney Independent School District, McKinney, Texas, and had been in this position for six (6) years and nine (9) months.

9. On or about November 1, 2008 to April 1, 2009, while employed with Burks Elementary, McKinney Independent School District, McKinney, Texas, Respondent failed to document, and maintain records, as required, of student visits to the Nursing Clinic and administration of daily medications to students. Respondent's conduct resulted in incomplete medical records with potential for injury in that subsequent care givers would not have accurate information upon which to base their care decisions.

10. In response to the incident in Finding of Fact Number Nine (9), Respondent states that she had significant family issues with ill parents and an ill husband during this time period.

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) and 217.12(1)(A),(1)(B)&(1)(C).

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 608399, heretofore issued to KELLY LEA COOK, including revocation of Respondent's license to

practice professional 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 WITH 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 multistate licensure privilege, 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 multistate licensure 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 <u>not</u> 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://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary.*

(4) RESPONDENT SHALL pay a monetary fine in the amount 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, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license, if any, to practice nursing in the State of Texas and RESPONDENT shall be eligible for multistate licensure privileges.

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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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 26 day of March, 2010.

Kelly Lea Cook RN

KELLY LEA COOK, Respondent

Sworn to and subscribed before me this 26 day of March, 2010.

SEAL

Felicia M Bice

Notary Public in and for the State of Texas

FELICIA M. BICE
Notary Public, State of Texas
My Comm. Expires Mar. 30, 2014

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 26th day of March, 2010, by KELLY LEA COOK, Registered Nurse License Number 608399, and said Order is final.

Effective this 1st day of April, 2010.

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 608399	§	AGREED
Issued to: KELLY LEA COOK	§	ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of KELLY LEA COOK, License Number 608399, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.303 and Section 301.452(b)(1), Texas Occupations Code and 22 Texas Administrative Code, §216.

Respondent waived representation by counsel, informal conference, notice, hearing and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, Executive Director, on behalf of 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 conference, notice and hearing, and consented to the entry of this Order.

3. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent failed to make full and timely compliance with the Board's requirements for continuing education for the period ending October 2003.

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. Evidence received was sufficient to prove violation of Section 301.303 and Section 301.452(b)(1) Texas Occupations Code, and 22 Texas Administrative Code §216.3.

4. Respondent's failure to comply with Continuing Education requirements is sufficient cause pursuant to Section 301.452(b) Texas Occupations Code to take disciplinary action against License Number 608399, heretofore issued to KELLY LEA COOK, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, that RESPONDENT SHALL receive the sanction of a Fine in the amount of One Hundred Dollars ($100), and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, Annotated, as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 Texas Administrative Code, §211.01 *et seq.*, and this Order.

IT IS FURTHER AGREED, that RESPONDENT SHALL submit, with this signed Agreed Order and the fine, documentation of successful completion of twenty (20) Type I contact hours of continuing education. Documentation shall include copies of certificates of program attendance. These contact hours are to be taken in addition to any continuing education requirements the Board may have for relicensure.

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 violation 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 becomes final and effective when entered by the Executive Director and that 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10 day of August, 2004.

Kelly Cook

KELLY LEA COOK, Respondent

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas ratifies and acknowledges satisfaction of the requirements of the Agreed Order that was signed on the 10th day of August, 2004, by KELLY LEA COOK, License Number 608399, and said Order is final.

Signed this 10th day of September, 2004.

Katherine A. Thomas

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 608399	§	AGREED
Issued to: KELLY COOK	§	ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of KELLY COOK, License Number 608399, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.303 and Section 301.452(b)(1), Texas Occupations Code and 22 Texas Administrative Code, §216.

Respondent waived representation by counsel, informal conference, notice, hearing and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, Executive Director, on behalf of 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 conference, notice and hearing, and consented to the entry of this Order.

3. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent failed to make full and timely compliance with the Board's requirements for continuing education for the period ending 10/99 through 10/01.

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. Evidence received was sufficient to prove violation of Section 301.303 and Section 301.452(b)(1) Texas Occupations Code, and 22 Texas Administrative Code §216.3.

4. Respondent's failure to comply with Continuing Education requirements is sufficient cause pursuant to Section 301.452(b) Texas Occupations Code to take disciplinary action against License Number 608399, heretofore issued to KELLY COOK, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, that RESPONDENT SHALL receive the sanction of a Fine in the amount of One Hundred Dollars ($100), and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, Annotated, as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 Texas Administrative Code, §211.01 *et seq.*, and this Order.

IT IS FURTHER AGREED, that RESPONDENT SHALL submit, with this signed Agreed Order and the fine, documentation of successful completion of 20 Type I contact hours of continuing education. Documentation shall include copies of certificates of program attendance. These contact hours are to be taken in addition to any continuing education requirements the Board may have for relicensure.

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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 violation 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 becomes final and effective when entered by the Executive Director and that 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 20 day of July, 2002.

Kelly Cook RN

KELLY COOK, Respondent

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas ratifies and acknowledges satisfaction of the requirements of the Agreed Order that was signed on the 20th day of July, 2002, by KELLY COOK, License Number 608399, and said Order is final.

Signed this 8th day of August, 2002.

Katherine A. Thomas

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