



Respondent's vocational nursing employment history continued:

2008 - 2009	LVN	Stephenville Medical-Surgical Clinic Stephenville, Texas
Present	LVN	Palo Pinto Rural Health Clinic Gordon, Texas

6. At the time of the initial incident, Respondent was employed as a Clinic Licensed Vocational Nurse with Stephenville Medical-Surgical Clinic, Stephenville, Texas, and had been in this position for six (6) months.
7. On or about February 4, 2009, while employed as a Licensed Vocational Nurse with Stephenville Medical and Surgical Clinic, Stephenville, Texas, Respondent failed to report the sexual assault of Patient Medical Record Number 56824-5, a minor, to a law enforcement agency and/or the Texas Department of Family and Protective Services, as required by Texas Family Code 261.101. Respondent's conduct caused delayed distress for the patient and denied officials of the State of Texas information needed to prevent further incidents of sexual assault.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states:

"I am sorry to say that all the facts indicate that I did indeed violate the Nursing Practice Act of the State of Texas. I am truly sorry to have failed a child, and while I did receive training in nursing school on reporting cases of sexual assault of a child, I still failed to report the incident.

According to my documentation, I took the patients vital signs, placed in the room for [Women's Health Nurse Practitioner (WHNP)], and I later documented that I gave a Gardasil shot, per [WHNP]'s orders. After documentation of the Gardasil shot, I never had the opportunity to see the chart for any follow-up, as it went to [D.D.], RMA. I never saw any documentation of [WHNP]'s. Furthermore, this incident was never discussed between [WHNP] and myself.

Since receiving your letter, I have gone on to read the Texas Family Code and now realize that even I *suspect* abuse, I need to report it, and everyone that is involved needs to report it."

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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A) and 217.12(1)(A),(4)&(6)(C).
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 210023, heretofore issued to PAMELA ANN EZZELL, 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 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 deliver the wallet-sized license issued to PAMELA ANN EZZELL to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(2) 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>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/training/jointtraining.cfm> or by contacting (512) 438-2201.*

(4) 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>.*

(5) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). 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 and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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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 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 11 day of February, 2010.

Pamela Ann Ezzell  
PAMELA ANN EZZELL, Respondent

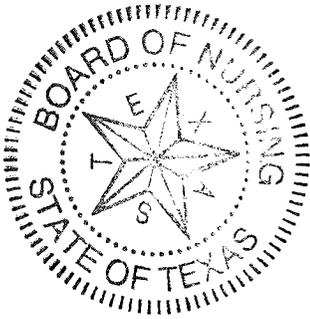
Sworn to and subscribed before me this 11 day of February, 2010.

Diana M. Sparks



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 11th day of February, 2010, by PAMELA ANN EZZELL, Vocational Nurse License Number 210023, and said Order is final.



Effective this 24th day of February, 2010.



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