



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	§	
Texas Registered Nurse License Number 777859 and	§	AGREED
Nurse Licensure Compact Privileges Associated with	§	
Colorado Practical Nurse License Number 31072 and	§	
Colorado Registered Nurse License Number 113154,	§	ORDER
issued to JANICE KURTZ LOWMAN,	§	
f.k.a. JANICE KURTZ ALLSUP	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JANICE KURTZ LOWMAN, f.k.a. JANICE KURTZ ALLSUP, Texas Registered Nurse License Number 777859 and Nurse Licensure Compact Privileges associated with Colorado Practical Nurse License Number 31072 and Colorado Registered Nurse License Number 113154, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 18, 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. Respondent's license to practice practical nursing and license to practice professional nursing in the State of Colorado are in "Inactive" status.

4. Respondent received an Associate Degree in Nursing from Trinidad State Junior College, Trinidad, Colorado, on August 1, 1996. Respondent was licensed to practice practical nursing in the State of Colorado on July 18, 1994; was licensed to practice professional nursing in the State of Colorado on October 16, 1996; and was licensed to practice professional nursing in the State of Texas on November 25, 2009.

5. Respondent's nursing employment history includes:

7/94 - 8/96	Unknown	
9/96 - 4/97	GN/RN Staff Nurse	IHS Community Care Delta, Colorado
5/97 - 5/04	Staff Nurse	Paonia Care and Rehabilitation Paonia, Colorado
6/04 - 6/09	Case Manager	Hospice and Palliative Care of Western Colorado Delta, Colorado
7/09	Unknown	
8/09 - 10/09	Staff Nurse	Hospice of East Texas Home Place Tyler, Texas
11/09 - Present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Hospice of East Texas Home Place, Tyler, Texas, using her Registered Nurse licensure compact privilege from the State of Colorado, and had been in this position for two (2) months.

7. On or about October 12, 2009, while employed as a Staff Nurse with Hospice of East Texas Home Place, Tyler, Texas, using her Registered Nurse licensure compact privilege from the State of Colorado, Respondent administered Humulin Regular Insulin to Patient Number 12774 that was in excess of the physician's order. Respondent mistakenly administered 0.5 ml of Insulin, while using a Tuberculin syringe, instead of five (5) units, as ordered. Although Respondent immediately notified the physician and obtained orders to monitor and maintain the patient's blood glucose levels, Respondent did not timely notify her supervisor of the medication error. Respondent's conduct was likely to injure the patient from low blood sugar due to administration of excess Insulin and from nursing decisions by subsequent care givers that could have been based on incomplete information.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent admits to making the medication error stating that she had been experiencing a great deal of stress/anxiety over her new job, the new work environment, and working a shift to which she was having difficulty adjusting. Respondent adds that when she realized she had made the medication error, she immediately notified the physician because he was still in the facility at that time.

### 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 Sections 301.452(b)(13) and 304.001, Article 3, Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C),(1)(P)&(3)(A).
4. The evidence received is sufficient cause pursuant to Sections 301.452(b) and 304.001, Article 3, Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 777859 and nurse license compact privileges associated with Colorado Practical Nurse License Number 31072 and with Colorado Registered Nurse License Number 113154, heretofore issued to JANICE KURTZ LOWMAN, f.k.a. JANICE KURTZ ALLSUP, including revocation of Respondent's license and privileges 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 multistate licensure privilege, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license and nurse license compact privileges are 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 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 medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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 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 multistate licensure 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 license and nurse license compact privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

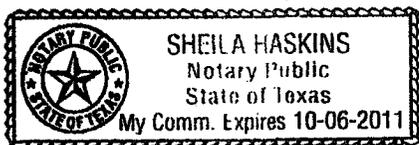
Signed this 22<sup>nd</sup> day of March, 2010.

Janice Kurtz Lowman  
JANICE KURTZ LOWMAN,  
f.k.a. JANICE KURTZ ALLSUP, Respondent

Sworn to and subscribed before me this 22<sup>nd</sup> day of March, 2010.

SEAL

Sheila Haskins



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 22nd day of March, 2010, by JANICE KURTZ LOWMAN, f.k.a. JANICE KURTZ ALLSUP, Texas Registered Nurse License Number 777859, Colorado Practical Nurse License Number 31072, and Colorado Registered Nurse License Number 113154, and said Order is final.

Effective this 25th day of March, 2010.



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