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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 646532 §
issued to GRACIE M. KEIM § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that GRACIE M. KEIM, Registered Nurse License Number 646532, hereinafter referred to as Respondent, may have violated Section 301.452 (b)(10), Texas Occupations Code.

An informal conference was held on Tuesday, December 22, 2009, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, Executive Director; John F. Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Doug Boone, Investigator; Kathy Duncan, Investigator; and Toni Frizell, Investigator.

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, 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 received an Associate Degree in Nursing from Hibbing Community College, Hibbing, Minnesota on May 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on November 17, 1997.

5. Respondent's complete professional nursing employment history includes:

11/97 - 8/07	Unknown	
09/07 - 07/08	RN	Lake Point Medical Center Rowlett, Texas
08/08 - 01/09	RN	Brazosport Regional Health System Lake Jackson, Texas
01/09 - 02/09	RN	Prince Georges Hospital Center Chevrly, Maryland
02/09 - 05/09	RN	Lake Charles Memorial Hospital Lake Charles, Louisiana
06/09	Unknown	
07/09 - 10/09	RN	Valley Regional Medical Center Brownsville, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Registered Nurse with Travel Nurse Across America, Little Rock, Arkansas, and assigned to Valley Regional Medical Center, Brownsville, Texas, and had been in this position for one (1) month.

7. On or about August 7, 2009, while employed as Registered Nurse with Travel Nurse Across America, Little Rock, Arkansas, and assigned to Valley Regional Medical Center, Brownsville, Texas, Respondent provided false, deceptive and misleading information in that she intentionally altered the issue and expiration dates on her American Heart Association "CPR & AED" card, and her American Heart Association "ACLS" card to indicate she had successfully completed the national cognitive and skills evaluations for basic and advanced cardiac life support for healthcare providers. Respondent's conduct was likely to deceive Respondent's employer, which may have affected their decision to employ her.

8. In response to Finding of Fact Number Seven (7), Respondent denies that she intentionally altered her ALCS cards, and states she was approached by a paramedic who introduced himself as an instructor of BLS and ACLS. The paramedic explained that he was able to renew BLS and ACLS based on his observance of Respondent and her fellow workers performing an actual code in what he called a "Rapid Renewal". The paramedic observed and was satisfied with her performance. Respondent asserts that her cards were issued to her by being left in the ER in an envelope.
9. Charges were filed on October 5, 2009.
10. Charges were mailed to Respondent on October 7, 2009.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(H)&(I).
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 646532, heretofore issued to GRACIE M. KEIM, 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, Revised Civil Statutes of Texas as amended, 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 compact states.

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 Texas Board of Nursing 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://www.learningext.com/products/generalce/critical/ctabout.asp>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of five hundred (\$500) dollars. 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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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 21st day of January, 2010, by GRACIE M. KEIM, Registered Nurse License Number 646532, and said Order is final.



Effective this 29th day of January, 2010.

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