



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 Vocational Nurse                     §        AGREED  
License Number 138827                                 §  
issued to PATRICIA ELAINE PACE                     §        ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PATRICIA ELAINE PACE, Vocational Nurse License Number 138827, 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 June 1, 2009, 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Howard College, Big Spring, Texas, on May 28, 1992. Respondent was licensed to practice vocational nursing in the State of Texas on December 6, 1992.
5. Respondent's vocational nursing employment history includes:

1992 - 1992	GVN/Staff LVN	Rehabilitation Hospital Midland, Texas
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Respondent's vocational nursing employment history continued:

1993 - 1994	Staff LVN	Alzheimers Unit Charge Nurse Houston, Texas
1994 - 1995	Staff LVN	Girling Tyler, Texas
1995 - 2000	Staff LVN	Barton Creek Home Health Austin, Texas
2000 - 2003	Staff LVN	Worked for Several Home Health Agencies
10/02- 1/06	Nursing Director	Marbridge Ranch San Marcos, Texas
10/02 - 1/06	Nursing Director	Medical Staffing Network San Antonio, Texas
4/03 - unknown	Staff LVN	Comfort Connection San Marcos, Texas
3/06 - 8/07	Staff LVN	A PLUS FAMILY CARE, LLC San Marcos, Texas
9/07 - present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff LVN with A PLUS FAMILY CARE, LLC, San Marcos, Texas, and had been in this position for one (1) year and four (4) months.

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7. On or about June 29, 2007 through August 1, 2007, while employed as a Staff LVN with A PLUS FAMILY CARE, LLC, San Marcos, Texas, and assigned the care of Home Health Patient BC, Respondent failed to maintain professional boundaries as demonstrated by the following conduct:

- Respondent performed personal duties outside of providing nursing care, which included doing housework, family laundry and cooking;
- Respondent assumed the role of the mother (who had recently passed away) and attempted to take control of the Patient BC's household and the other family members;
- Respondent brought her pet to the patient's home;
- Respondent became personally involved with Patient BC's father, which included spending the night and sleeping in the same room with Patient BC's father and accepting gifts from him;
- Respondent caused emotional harm to Patient BC's brother JC, in that she:
  - threatened to take the hinges off JC's bedroom door;
  - told JC that his late mother did not take good care of Patient BC;
  - went into JC's bedroom when he was not there, used his computer without permission and went through JC's personal belongings; and
  - created dissension between JC and his father.

Respondent's over-involvement in the family dynamics was a violation of nurse/client professional boundaries and caused emotional harm to the patient's immediate and extended family, who experienced undue anxiety and stress.

7. In response to Finding of Fact Number Six (6), Respondent emphatically denies all the accusations with the exception of bringing her pet to the patient's home. Respondent states that this family (3 children and a father) had recently lost their mother and she was assigned this patient four (4) weeks after the loss. The family had extreme levels of anxiety before her death, but the grief and loss experienced after the death compounded the anxiety of the entire family. Patient BC had multiple health issues, lived in an environment of decreased cleanliness/sanitation, so Respondent immediately organized the patient's room to locate equipment and supplies, cleaned (and tested) dirty equipment, eradicated roaches from her room and began teaching related to cooperation with brushing teeth, stretches and more. The patient's condition and affect began to noticeably improve. Respondent denies that she ever gave any indication to the family that she was trying to fill a motherly role. When the father started telling everyone that Respondent was the best nurse he ever had, this spawned insecure and threatened feelings in the other daughter who would take wild accusations (like these) to the grandmother who then notified Child Protective Services (CPS). Respondent reports that CPS conducted an investigation however, closed the case and determined that the father was being harassed. Respondent admits that she had taken her dog Benny (a three-year-old, 8 lb terrier) to the patient's home, not realizing this was inappropriate. Respondent states that she was assigned a patient with a challenging family that was experiencing difficulty coping with the recent loss of the mother.

### 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, 22 TEX. ADMIN. CODE §217.11(1)(J) and 22 TEX. ADMIN. CODE §217.12(6)(C) & (D).
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 138827, heretofore issued to PATRICIA ELAINE PACE, 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 PATRICIA

ELAINE PACE to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(2) 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.

(3) 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>

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in “Respecting Professional Boundaries,” a 3.9 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/boundaries/boundariesabout.asp>*

(5) 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>.*

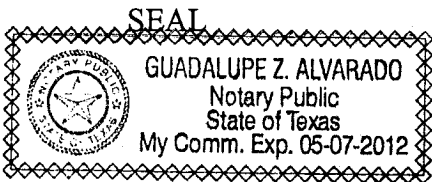
IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

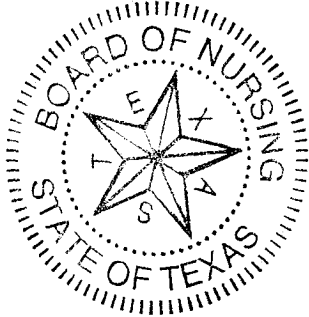
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 2 day of July, 2009.  
Patricia Elaine Pace  
PATRICIA ELAINE PACE, Respondent


Sworn to and subscribed before me this 2 day of July, 2009.  
Guadalupe Z. Alvarado  
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 2nd day of July, 2009, by PATRICIA ELAINE PACE, Vocational Nurse License Number 138827, and said Order is final.



Effective this 8th day of July, 2009.

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