

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 612322  
ISSUED TO  
ANNA M. BENCHECK

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BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE 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.  
*Patricia A. Williams*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: Anna M. Bencheck  
5005 Avenue N  
Galveston, Texas 77551

During open meeting held in Austin, Texas, on May 13, 2008, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 612322, previously issued to ANNA M. BENCHECK, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 612322, previously issued to ANNA M. BENCHECK, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 13th day of May, 2008.

TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*  
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



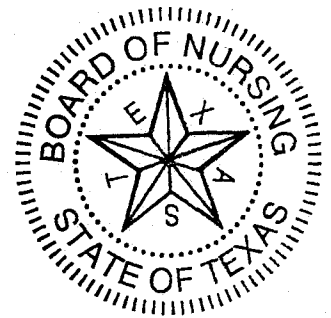
Re: Permanent Certificate Number 612322  
Issued to Anna M. Bencheck  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15 day of May, 2008, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Anna M. Bencheck  
5005 Avenue N  
Galveston, Texas 77551

BY: Katherine A. Thomas  
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



In the Matter of Permanent License  
Number 612322, Issued to  
ANNA M. BENCHECK, Respondent

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§  
§

BEFORE THE TEXAS  
BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANNA M. BENCHECK, is a Registered Nurse holding license number 612322, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

### CHARGE I.

On or about November 20, 2007, while employed with The University of Texas Medical Branch at Galveston, Galveston, Texas, Respondent failed to assess, evaluate and intervene and/or failed to document the assessment/interventions for Patient UH#916058Q after being informed by the Patient Care Technician (PCT) that the patient's blood pressure was critically low (81/47) at 0800. The aforementioned patient had undergone a below-the-knee amputation on the previous day and was on telemetry, but was reported by the physician to be in "good condition" upon leaving the Post Anesthesia Care Unit (PACU). The physician ordered continuous cardiac monitoring for this patient and requested to be notified if the blood pressure fell below 100 systolic or 50 diastolic. However, Respondent failed to ensure the cardiac leads were on the patient and failed to notify the physician of the critically low blood pressure reading. At approximately 10:53, Respondent was notified by telemetry monitoring staff that the patient appeared to be in asystole and that she should check the cardiac leads. Upon arriving to the patient's room, the patient was indeed in asystole and cardiopulmonary resuscitation (CPR) was initiated. Resuscitative measures were unsuccessful and the patient was pronounced dead at 11:17. Respondent's conduct may have contributed to the patient's demise.

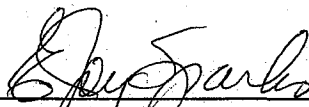
The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(D),(1)(M),(1)(P)&(3)(A) and 217.12(1)(A),(1)(B)&(4).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

Filed this 9<sup>th</sup> day of April, 2008.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

State Bar No. 10838300

Victoria Cox, Assistant General Counsel

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