



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

In the Matter of Registered Nurse § AGREED
License Number 589451 §
issued to DELORES YVONNE HAGEN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DELORES YVONNE HAGEN, Registered Nurse License Number 589451, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 24, 2009, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 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.
4. Respondent received a Baccalaureate Degree in Nursing from University of Texas Health Science Center at San Antonio, San Antonio, Texas on December 19, 1992. Respondent was licensed to practice professional nursing in the State of Texas on March 23, 1993.

5. Respondent's professional nursing employment history includes:

December 1992 to March 1996	Staff Nurse	Santa Rosa Children's Hospital San Antonio, Texas
March 1996 to March 1997	Clinic Nurse	Wilford Hall Hospital Lackland AFB San Antonio, Texas
March 1997 to September 1998	Staff Nurse	Methodist Children's Hospital San Antonio, Texas
September 1998 to June 2006	Clinic Nurse	Mahendra C. Patel, M.D. San Antonio, Texas
June 2006 to July 2008	Staff Nurse	Methodist Children's Hospital San Antonio, Texas
July 2008 to August 2008	Unknown	
August 2008 to Present	Staff Nurse	Wilford Hall Medical Center San Antonio, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Registered Nurse with Methodist Children's Hospital, San Antonio, Texas, and had been in this position for two (2) years and one (1) month.
7. On or about July 2008, while employed as a Registered Nurse with Methodist Children's Hospital of South Texas, San Antonio, Texas, Respondent engaged in unprofessional conduct, in that she informed eleven-year-old minor Patient Medical Record Number W122958993 that the patient had been diagnosed with Leukemia, instead of allowing the parents to decide how and when to tell the patient. Furthermore, the physician had specifically requested that Respondent not inform the patient of the diagnosis until the parents were informed. Respondent's conduct may have caused emotional harm to the patient and the patient's parents, who were deprived the opportunity to decide how they wanted this information conveyed to their child, which was a blatant disregard of their rights as parents.

8. In response to Finding of Fact Number Seven (7), Respondent states that the physician had informed her of the diagnosis and requested the parents meet with him alone. Respondent states that she was left alone with the patient, who asked her what was wrong. Respondent informed the patient that there was something wrong with her blood and asked her if she knew what Leukemia was and then proceeded to tell her about her own experience with Leukemia when she was a child. Respondent denies the physician specifically requested her not to inform the patient of the diagnosis until the parents were informed.

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)(D).
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 589451, heretofore issued to DELORES YVONNE HAGEN, 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, 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 professional 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 DELORES YVONNE HAGEN to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(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) contact 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>.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of May, 2009.

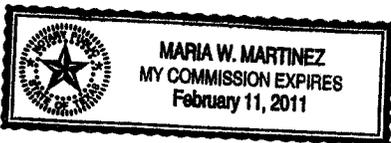
DeLores Yvonne Magen
DELORES YVONNE MAGEN, Respondent

Sworn to and subscribed before me this 14th day of May, 2009.

SEAL

Maria W. Martinez

Notary Public in and for the State of Texas



Approved as to form and substance.

Malinda A. Gaul
Malinda A. Gaul, Attorney for Respondent

Signed this 14th day of May, 2009.

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 14th day of May, 2009, by DELORES YVONNE HAGEN, Registered Nurse License Number 589451, and said Order is final.



Effective this 21st day of May, 2009.

Katherine A. Thomas

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