



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 Registered Nurse License           §        AGREED  
Number 632243 and Vocational Nurse           §  
License Number 110544                           §  
issued to YVONNE ELLEN SCOTT               §        ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of YVONNE ELLEN SCOTT, Registered Nurse License Number 632243 and Vocational Nurse License Number 110544, 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 April 17, 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 professional nursing in the State of Texas. Respondent's license to practice vocational nursing in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Tomball College, Tomball, Texas, on February 27, 1985; and received an Associate Degree in Nursing from Regent's College, Albany, New York, on April 11, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on June 2, 1985; and was licensed to practice professional nursing in the State of Texas on July 16, 1996.

5. Respondent's nursing employment history includes:

1985 - 1987	LVN - Office Nurse	Pediatric Associates Ft. Worth, Texas
10/86 - 2/04	Agency Nurse LVN/ RN	Gentiva Healthcare Services Ft. Worth, Texas
1990 - 1994	Staff Nurse LVN	Rehabilitation Hospital Ft. Worth, Texas
3/04 - 7/04	Agency Nurse RN	Comfort Me Ft. Worth, Texas
8/04 - 10/04	Agency Nurse	Rosa's First Home Health Ft. Worth, Texas
11/04 - 5/05	Staff Nurse	Epic MedStaff Home Health, Inc. Ft. Worth, Texas
6/05 - Present	Director Patient Care Services	Epic MedStaff Home Health, Inc. Ft. Worth, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Director of Patient Care Services with Epic MedStaff Home Health, Inc., Ft. Worth, Texas, and had been in this position for one (1) year and eight (8) months.
7. On or about February 9, 2007, through July 5, 2007, while employed as the Director of Patient Care Services with Epic MedStaff Home Health Inc., Ft. Worth, Texas, Respondent failed to comply with mandatory Board reporting requirements by not reporting that A.J.C., LVN, may have contributed to injuries sustained by two (2) pediatric patients. On February 9, 2007, Patient D.B sustained second degree burns to his lower extremities after the LVN placed him in bath water that was too hot. This incident was reported to Respondent by the patient's mother the next morning. Subsequently, Respondent removed this LVN from this patient's home and assigned him to work in a foster home with a medically fragile child. Although the LVN was not specifically assigned to Patient M.A., he was observed coming out of her room when the infant started to scream. The infant was noted to have a blood shot eye and after being examined by an ophthalmologist, it was determined that the infant had been "stabbed" in the eye multiple times with a sharp object. Respondent's conduct and failure to report this LVN to appropriate agencies was likely to injure future patients assigned to this LVN.

8. In response to the incidents in Finding of Fact Number Seven (7), Respondent states that when she became aware of the incidents regarding A.J.C., LVN, she followed the Policy and Procedure in place by notifying the Branch Manager and her immediate supervisor, E.C., RN, Regional Director of Nurses. She also states that she notified Texas Department of Aging and Disability, Child Protective Services, and the LVN's Case Worker at the Texas Peer Assistance Program for Nurses of the incidents. Respondent asserts that she was told by every one that she did not need to report the incidents to anyone else.

#### 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)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A),(1)(B),(1)(K),(1)(P)&(1)(U) and 217.12(1)(A),(1)(B),(2)&(4).
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 632243 and Vocational Nurse License Number 110544, heretofore issued to YVONNE ELLEN SCOTT, including revocation of Respondent's licenses 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 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 licenses 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 deliver the wallet-sized licenses issued to YVONNE ELLEN SCOTT to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(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) 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>

(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://www.learningext.com/products/generalce/critical/ctabout.asp>

(4) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). 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.

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

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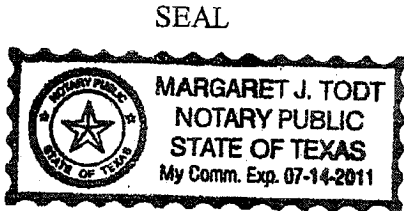
RESPONDENT'S CERTIFICATION

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 to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 22<sup>ND</sup> day of MAY, 2009.  
*Vivonne Ellen Scott*  
 VIVONNE ELLEN SCOTT, Respondent

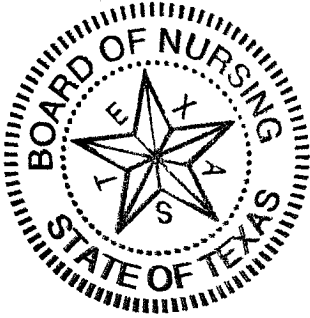
Sworn to and subscribed before me this 22<sup>ND</sup> day of MAY, 2009.

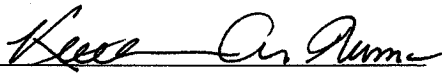


*Margaret J. Todt*  
 Notary Public in and for the State of TEXAS

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 May, 2009, by YVONNE ELLEN SCOTT, Registered Nurse License Number 632243 and Vocational Nurse License Number 110544, and said Order is final.

Effective this 26th day of May, 2009.



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