



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 P. Roman
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 192548 §
issued to CYNTHIA DIANE DENISON § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that CYNTHIA DIANE DENISON, Vocational Nurse License Number 192548, hereinafter referred to as Respondent, may have violated Section 301.452 (b)(10)&(13), Texas Occupations Code.

An informal conference was held on March 31, 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 represented by Shezad Malik, MD, Attorney at Law. In attendance were Denise Benbow, MSN, RN, Nurse Consultant, Executive Director's Designee; John F. Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Skylar Caddell, RN-BC, Lead Investigator; and Amy Grissom, RN, 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 notice and hearing, and consented 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 of Vocational Nursing from Concord Career Institute-Extended Health, Arlington, Texas, on January 2, 2004, and was licensed to practice vocational nursing in the State of Texas on February 13, 2004.

5. Respondent's nursing employment history includes:

2004-2004	Pediatric Nurse	Reachout Home Care Plano, Texas
2004-2008	Pediatric Nurse	Epic Med Staff Dallas, Texas
1/2005-1/2008	Pediatric Nurse	Maxim Healthcare Fort Worth, Texas
1/2008-05/2008	Pediatric Nurse	Jordan Health Services Arlington, Texas
05/2008-Present	Pediatric Nurse	Angels of Care Howe, Texas

6. At the time of the initial incident, Respondent was employed as a Pediatric Nurse with Maxim Healthcare, Fort Worth, Texas, and had been in this position for two (2) years and six (6) months.
7. On or about July 2007, while employed with Maxim Healthcare Services, Fort Worth, Texas, and providing nursing care to Patient Medical Record Number 526647141, Respondent failed to maintain professional boundaries in that she loaned \$500 to the patient's mother. Respondent's conduct violated professional boundaries and was likely to injure the patient in that such boundary violations can cause delayed distress for the patient which may not be recognized or felt by the patient until harmful consequences occur.
8. On or about October 2007, through November 2007, while employed with Maxim Healthcare Services, Fort Worth, Texas, and providing nursing care to Patient Medical Record Number 526647141, Respondent provided scheduled skilled nursing care for the patient in her personal residence on several occasions, rather than at the patient's home, as appropriate, and had both the patient and the patient's family to her home for social interactions. Respondent's conduct violated professional boundaries and was likely to injure the patient in that such boundary violations can cause delayed distress for the patient which may not be recognized or felt by the patient until harmful consequences occur.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that the patient's mother asked her for money because the water and electric utilities at the patient's home had been turned off. According to Respondent, the patient's mother had become ill and unable to work, and when the mother asked if she could cash a check against Respondent's bank account, Respondent agreed so that the utilities could be turned back on and so that the family could buy some food. Respondent indicates

the transaction was intended to be an even exchange, with no profit to herself. Regarding providing patient care at her own home, Respondent states that when the utilities at the patient's home were disconnected, she did agree to bring the patient to her own home so that the patient could continue to receive his nebulizer treatments.

10. On or about February 9, 2009, Respondent successfully completed a Board approved course in Respecting Professional Boundaries, which would have been a requirement of this Order.
11. On or about March 11, 2009, Respondent successfully completed a Board approved course in Texas Nursing Jurisprudence and Ethics, which would have been a requirement of this Order.

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)(B)&(1)(J) and 217.12(1)(A)&(6)(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 192548, heretofore issued to CYNTHIA DIANE DENISON, 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, 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 deliver the wallet-sized license issued to CYNTHIA DIANE DENISON, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(2) RESPONDENT SHALL pay a monetary fine in the amount two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within fort-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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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed 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.

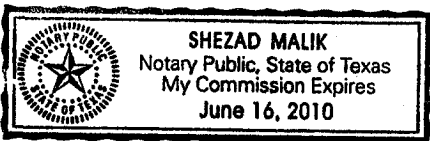
Signed this 20th day of APRIL, 2009.

~~Cynthia Diane Denison LVL~~
CYNTHIA DIANE DENISON, RESPONDENT

Sworn to and subscribed before me this 20th day of APRIL, 2009.

SEAL

Notary Public in and for the State of _____



Approved as to form and substance.


Shezad Malik
Shezad Malik, MD, Attorney for Respondent

Signed this 20th day of APRIL, 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 20th day of April, 2009, by CYNTHIA DIANE DENISON, Vocational License Number 192548, and said Order is final.

Effective this 23 day of April, 2009.




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