

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational License Number 72158 § AGREED
issued to ANGELA G. RICHTER § ORDER



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

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the matter of ANGELA G. RICHTER, Vocational Nurse License Number 72158, 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 notice and hearing, and agreed to the entry of this Order offered on February 4, 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 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 Certificate in Vocational Nursing from Del Mar College, Corpus Christi, Texas, on January 15, 1977. Respondent was licensed to practice vocational nursing in the State of Texas on May 19, 1977.
5. Respondent's vocational nursing employment history includes:

5/19/77 - 7/81	Licensed Vocational Nurse (LVN) Kleberg County Hospital Kingsville, Texas
8/81 - 8/89	Not employed in nursing

Respondent's vocational nursing employment history continued,

9/89 - 3/97	LVN Medical Office of L. E. Ramsey Kingsville, Texas
3/97 - 12/01	LVN Self-employed contract nursing Kingsville, Texas Corpus Christi, Texas Austin, Texas
12/01 - 2/03	LVN The Park at Beckett Meadows Austin, Texas
3/03 - 10/03	LVN The Heritage at Gaines Ranch Austin, Texas
10/03 - 8/05	LVN The Summit at Westlake Hills Austin, Texas
6/05 - 4/06	LVN Private Duty Nursing Austin, Texas
5/06	Not employed in nursing
6/06 - 10/06	LVN Private Duty Nursing Austin, Texas
11/06 - 12/06	LVN Yoakum Nursing & Rehab Yoakum, Texas
1/07 to 3/07	Not employed in nursing
4/07 to 5/07	LVN Kennedy Manor Kennedy, Texas
6/07 to 9/07	Not employed in nursing
10/07 to 12/07	LVN Westwood Nursing Home Corpus Christi, Texas
1/08 to Present	Private Duty Nursing

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a LVN with The Summit at Westlake Hills, Austin, Texas, and had been in this position for one (1) year and two (2) months.
7. On or about August 15, 2005, while employed as a LVN with The Summit at Westlake Hills, Austin, Texas, Respondent failed to properly document patient assessments in that Respondent inappropriately used photocopied nursing assessments from assessments that she had documented on August 14, 2005, with changes in findings on assessment including vital signs. Respondent's conduct resulted in inaccurate medical records, and was likely to injure the patients in that the failure to complete a current assessment could result in undetected changes in the patient's medical status, which may have required nursing interventions. In addition, subsequent caregivers would have relied on her documentation while providing further care to the patients.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent admits that she did use photocopies of her own assessments that she performed the previous night, and that she performed nursing assessments on each of the patients on the night in question, recording any changes. Respondent provided another nurse with copies of her assessments, at that nurse's request. Respondent intended that her assessments be used as a guide, not that the other nurse would use the assessments as her own.
9. First Amended Charges were filed on January 16, 2009.
10. Charges were mailed to Respondent on or about January 17, 2009, and Respondent answered such charges as set forth herein .

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(D) and 217.12(1)(B),(1)(C),(4).
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 72158, heretofore issued to ANGELA G. RICHTER.

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 Vocational 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 vocational 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 ANGELA G. RICHTER 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>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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/about/stipscourses.html>.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of One Thousand Dollars \$1000.00. 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, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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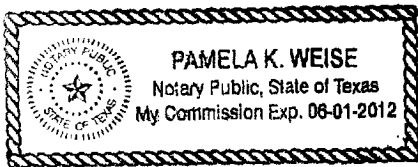
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order and consulted with my attorney. 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 the uncertainty of trial and to settle 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 16th day of March, 2009.
Angela G. Richter
ANGELA G. RICHTER, Respondent

Sworn to and subscribed before me this 16 day of March, 2009.

SEAL



Pamela K. Weise
Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]
ELIZABETH L. HIGGINBOTHAM, Attorney for Respondent

Signed this 25th day of March, 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 16th day of March, 2009, by ANGELA G. RICHTER, Vocational Nurse License Number 72158, and said Order is final.



Effective this 31st day of March, 2009.

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