



5. Respondent's vocational nursing employment history includes:

1977-1983	LVN Citizens Hospital Victoria, Texas
1983-1987	LVN Devereux Ltd Victoria Texas
1987-Unknown	LVN VRMC Victoria, Texas
1987-1996	Unknown
1996-2004	LVN/Aide/Substitute Teacher Victoria Independent School District Victoria, Texas
2004 - present	Unknown

6. At the time of the initial incident of Finding of Fact Number Seven (7), Number (8), and Number (9), Respondent was employed as a Licensed Vocational Nurse with Victoria Independent School District, Victoria, Texas, and had been in this position for approximately two (2) years.

7. While employed with Victoria Independent School District, Victoria, Texas, for the school year 2003-2004 and 2004-2005, and caring for Student Client G.P., Respondent failed to collaborate with members of the health care team, the Admission, Review and Dismissal Committee members, and the client's family regarding patient status, plan of care and monitoring of the client. Respondent failed to understand and communicate to teachers of Student Client G.P. that he suffered from encopresis which required him to wear diapers. Student Client G.P. was incapable of toileting and cleaning himself without assistance daily. Respondent, was specifically responsible for Student Client G.P.'s incontinent care which included cleaning him when he had a bowel movement. The parents of Student Client G.P. reported that he would frequently come home soiled on an ongoing basis for the 2003-2004 school year. Furthermore, Respondent would not contact Student Client G.P.'s parents when she ran out of wipes, and instead would use dry brown paper towels to clean him. Respondents actions denied the Patient of basic nursing care causing cuts to his anus and genitalia and exposed him and others to the risk of infections and communicable disease.

8. While employed with Victoria Independent School District, Victoria, Texas, for the school year 2003-2004 and 2004-2005, and while caring for Student Client G.P., Respondent caused or permitted emotional or physical abuse or injury to the client when she provided incontinent care to the client after an episode of encoprisis. Student Client G.P. and parents testified before a Special Education Hearing for the State of Texas that Student Client G.P. suffered cuts around his anus and his penis and that Respondent was likely to have caused these cuts by the inappropriate use of dry brown paper towels to clean Student Client G.P.. Respondent's conduct caused emotional and physical harm to Student Client G.P. in that Student Client G.P.'s psychologist, Dr. Graf, testified in the same hearing that the events that took place in Respondent's office, traumatized G.P. and had a serious negative emotional impact on G.P..
  
9. While employed with Victoria Independent School District, Victoria, Texas, for the school year 2003-2004 and 2004-2005, and while caring for Student Client G.P., Respondent failed to initiate and maintain medical records for Student Client G.P. who suffered from seizures, heart problems, Attention Deficit Hyperactivity Disorder (ADHD), speech impairment, and irritable bowel syndrome. Respondent's actions deprived subsequent care givers of essential information on which to base any future plans of care.
  
10. In her response to the allegations, Respondent stated that Student Client G.P.'s teachers did not direct her to assist in cleaning Student Client G.P. when they suspected he was soiled, however, she gladly assisted him in cleaning up whenever he did go to her office. Respondent reports that when she ran out of wipes she asked the student client's sister to inform their mother on two occasions. When no wipes were provided, Respondent used wet brown paper and soap and water to clean him up. Respondent also reports two incidents in which Student Client G.P. was brought to her office complaining of "feeling bad" or "stomach ache," and each time she had him rest in her office. On one of those occasions, she contacted his father who came and picked him up.

## 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 violation of Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §§239.11(2)(3)(4)(19)(22) &(27)(F)(as amended September 2003), 217.11(1)(A)(B)(C)(D)(O)&(P), 217.12(1)(A)(B),(4), (6)(C).
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 74167, heretofore issued to PATRICIA STEWART HILL, 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 a WARNING WITH STIPULATIONS, 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 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 PATRICIA STEWART HILL, to the office of the Texas Board of Nursing within ten (10) days from 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) 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 physical assessment. RESPONDENT SHALL obtain Board approval of the

course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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>.*

(4) 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/disciplinaryaction/stipscourses.html>*

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website:*  
*<http://www.dads.state.tx.us/providers/training/jointtraining.cfm> or by contacting (512) 438-2201.*

(6) RESPONDENT SHALL, within one (1) year 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>.*

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(7) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(8) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(9) For the duration of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(10) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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.

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 waive representation by counsel. 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 professionalvocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10<sup>th</sup> day of April, 2009.

Patricia Stewart Hill

PATRICIA STEWART HILL, Respondent

Sworn to and subscribed before me this 10<sup>th</sup> day of April, 2009.

SEAL

Laura Lucille West

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10<sup>th</sup> day of April, 2009, by PATRICIA STEWART HILL, Vocational Nurse License Number 74167, and said Order is final.

Effective this 12<sup>th</sup> day of May, 2009.



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