



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 License Number 680841
issued to JUDITH GALE WOOTEN

§ AGREED
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the matter of JUDITH GALE WOOTEN, Registered Nurse License Number 680841, 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 March 3, 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 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 Associate Degree in Nursing from Baptist Health System School of Professional Nursing, San Antonio, Texas on June 7, 2001. Respondent was licensed to practice professional nursing in the State of Texas on August 14, 2001.
5. Respondent's professional nursing employment history includes:

06/2001 - 09/2002	RN	Baptist Health Systems San Antonio, Texas
09/2002 - 01/2004	RN	Christus Santa Rosa Hospital San Antonio, Texas
11/2002 - 12/2005	RN	Nursefinder San Antonio, Texas

Respondent's professional nursing employment continued:

10/2004 - 06/2007	RN	Ingensis Nursing Agency San Antonio, Texas
10/2006 - 01/2007	RN	OMV Medical/ Altos Federal Group Nursing Agency San Antonio, Texas
05/2007- 07/2007	RN	Southwest General Hospital San Antonio, Texas
07/2007 - 10/2007	RN	Guadalupe Regional Medical Center Seguin, Texas
08/2007 - 08/2008	RN	Pyramed Health Services San Antonio, Texas
09/2007 - Present	RN	Angel Staffing San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Pyramed Health Services, San Antonio, Texas, and had been in this position for twelve (12) months.
7. On or about August 7, 2008, while employed as a Registered Nurse with Pyramed Health Services, San Antonio, Texas, and assigned to provide nursing care/nursing services to Patient Medical Record Number A2007029-001, Respondent violated the professional boundaries of the nurse/client relationship, in that she provided personal items to the patient and the patient's family, including food, furniture, and household items. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
8. In response to Finding of Fact Number Eight (8), Respondent states that the living condition of the patient's home was "very, very poor." The home had no furniture except for a television stand and a TV and very few pieces of furniture in the bedrooms. In addition, the home was completely soiled with animal urine and feces. Respondent believed the condition of the home jeopardized the health and safety of the patient so she loaned the patient's mother a vast assortment of furniture and miscellaneous items. Respondent states that she was merely being a patient advocate by loaning the items to the family. On August 6, 2008 Respondent gave up the assignment, and the following day she went to the patient's residence and began removing the items that she had loaned to the family. Respondent states that she only removed the items that she had loaned and personal items that were used while on assignment.

9. Formal Charges were filed on December 18, 2008.
10. Formal Charges were mailed to Respondent on December 19, 2008.

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 above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE § 217.11(1)(J), 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 680841, heretofore issued to JUDITH GALE WOOTEN, 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 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 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 JUDITH GALE WOOTEN to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

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

(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 "Respecting Professional Boundaries," a 3.9 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/boundaries/boundariesabout.asp>.

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.

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RESPONDENT'S CERTIFICATION

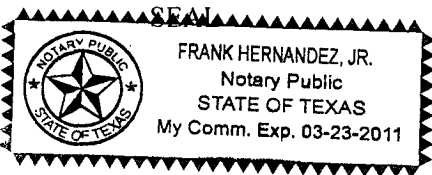
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 13 day of March, 2009.

Judith Gale Wooten

JUDITH GALE WOOTEN, Respondent

Sworn to and subscribed before me this 13 day of March, 2009.



Frank Hernandez, Jr.

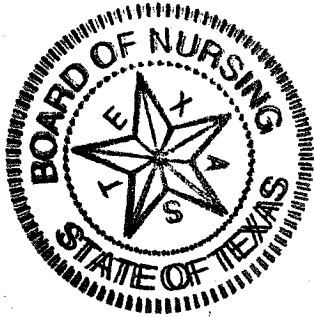
Notary Public in and for the State of TEXAS

Approved as to form and substance.

TONY R. BERTOLINO, Attorney for Respondent

Signed this ____ day of _____, 20__.

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 13th day March, 2009, by JUDITH GALE WOOTEN, Registered Nurse License Number 680841, and said Order is final.



Effective this 25th day March, 2009.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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