

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Vocational Nurse	§	AGREED
License Number 149691	§	
issued to BRENDA J. LAW	§	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 Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of BRENDA J. LAW, Vocational Nurse License Number 149691, 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 conference, notice and hearing, and agreed to the entry of this Order offered on August 5, 2007, 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 conference, notice and hearing, and agreed 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 in Vocational Nursing from Victoria College, Gonzales Extension, Gonzales, Texas, on August 19, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on October 18, 1994.
5. Respondent's vocational nursing employment history includes:
 

10/1994 - 10/1998	Clinic Nurse	Gonzales Health Agency Gonzales, Texas
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Respondent's vocational nursing employment history continued:

11/1998 - 12/1998	Unknown	
01/1999 - 01/2001	Office Nurse	Family Medical Center Bay City, Texas
01/2001 - Present	Jail Nurse	Matagorda County Hospital District Bay City, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Jail Nurse with Matagorda County Hospital District, Bay City, Texas, and had been in this position for four (4) years and eight (8) months.
7. On or about September 30, 2005, through October 17, 2005, while employed as a Jail Nurse with Matagorda County Hospital District, Bay City, Texas, and assigned to the Matagorda County Jail, Bay City, Texas, Respondent failed to appropriately assess and monitor the blood pressures of the aforementioned Inmate Booking Number 232129, who was being medicated with multiple medications to treat high blood pressure and whose medication regimen had recently changed. Although the inmate requested that Respondent monitor his blood pressure on October 13, 2005, so that the results could be utilized by the inmate's cardiologist, Respondent only obtained a blood pressure reading that day and on one other, October 17, 2007, upon a second request from the inmate. Respondent's conduct was likely to injure the patient from possible undetected symptoms and medication side-effects associated with over- or under-controlled hypertension, including cardiovascular accident and/or fainting.
8. On or about October 1, 2005, through October 18, 2005, while employed as a Jail Nurse with Matagorda County Hospital District, Bay City, Texas, and assigned to the Matagorda County Jail, Bay City, Texas, Respondent failed to ensure that medications were administered, as ordered, to Inmate Booking Number 232129, as follows:

Date & Time	Physician's Order	Medication Administration Record	Nurses Notes
10/01/05 @ 1600	Lotrel 5mg/20mg daily	None	None
10/01/05 @ 1600	Vytorin one tab by mouth	None	None
10/17/05 @ 0900	Lasix 20 mg qd	None	None
10/17/05 @ 0900	Spironolactone 25 mg qam	None	None
10/18/05 @ 0900	Spironolactone 25 mg qam	None	None

Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered could have resulted in non-efficacious treatment.

9. On or about October 13, 2005, through October 18, 2005, while employed as a Jail Nurse with Matagorda County Hospital District, Bay City, Texas, and assigned to the Matagorda County Jail, Bay City, Texas, Respondent failed to collaborate and clarify with the physician regarding the physician's new order to administer a third diuretic, Spironolactone, to the aforementioned Inmate Booking Number 232129, whose hypertension was already being treated with two (2) other diuretic medications, Lasix and Hydrochlorothiazide. When the physician ordered the third diuretic, the inmate informed Respondent that the it was not supposed to be started until after "the old water pill" had been completed. Respondent did not contact the physician to clarify the administration of three (3) concurrent diuretics, and only documented in the medical record that she did not receive an order to confirm the inmate's request. Respondent's conduct was likely to injure the patient from non-efficacious treatment and/or symptoms associated with possible fluid and electrolyte imbalance.
10. On or about April 21, 2006, through April 26, 2006, while employed as a Jail Nurse with Matagorda County Hospital District, Bay City, Texas, and assigned to the Matagorda County Jail, Bay City, Texas, Respondent failed to appropriately and timely assess and intervene in the care of Inmate Booking Number 017304, when he complained of wrist pain. The inmate had been receiving the pain medication Tramadol until April 6, 2006, when the medication was completed. Because there were no refills indicated on the bottle, Respondent discontinued the medication. On April 21, 2006, the inmate submitted a Medical Request Form to Respondent asking to visit the physician so that the medication could be refilled. Instead of assessing the inmate's wrist, as required, and notifying the physician that the inmate had complained of continued pain, Respondent placed the inmate's name on a list to be seen when the physician visited the jail. The inmate did not get to visit with the physician until five (5) days after he requested to see a physician and twenty (20) days after having run out of pain medication. After the physician examined the inmate, he prescribed Tramadol as needed for pain, with an extra three (3) refills. Additionally, Respondent failed to document the inmate's complaints of pain in Nurse's Notes. Respondent's conduct caused the inmate to suffer pain unnecessarily due to delayed medical treatment of his wrist. Additionally, Respondent's conduct resulted in an inaccurate medical record.
11. In response to the incidents in Findings of Fact Numbers Seven (7) through Ten (10), Respondent states that Inmate Booking Number 232129 received all of his prescribed medications and she did not delay the start of the Spironolactone because there was no order to do so. Respondent states that no physician orders were received regarding blood pressure readings, and that she did check the inmate's blood pressures as requested on the two (2) dates. Regarding Inmate Booking Number 017304's complaint of wrist pain, Respondent states that he was given Tramadol until it ran out on April 6, 2006, and since there were no refills for the medication, it was discontinued. Respondent states that when she received a request from the inmate to see the jail physician, she put his name on the list to see the physician.

### 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)(C),(1)(D),(1)(M),(1)(N),(1)(P)&(2)(A) and 217.12(1)(A),(1)(B)&(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 149691, heretofore issued to BRENDA J. LAW, 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 Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, 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 §211.01 *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 BRENDA J. LAW to the office of the Board of Nurse Examiners 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 Chemical Dependency, 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.bne.state.tx.us/about/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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.bne.state.tx.us/about/stipscourses.html>.

(4) 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.bne.state.tx.us/about/stipscourses.html>.*

(5) 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.bne.state.tx.us/about/stipscourses.html>.*

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

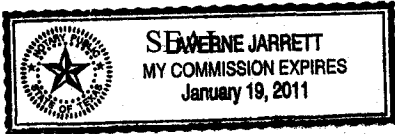
I understand that I have the right to legal counsel prior to signing this Agreed Order.

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

Signed this \_\_\_\_\_ day of 9-11, 2007.

Brenda J. Law  
BRENDA J. LAW, Respondent

Sworn to and subscribed before me this 11<sup>th</sup> day of September, 2007.



Seawenne Jarrett

Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 11th day of September, 2007, by BRENDA J. LAW, Vocational Nurse License Number 149691, and said Order is final.

Effective this 20th day of September, 2007.



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