BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

In the Matter of Multi State Licensure	§	AGREED
Compact Privilege Associated with	§	
Arizona Registered Nurse License	§	
Number 126855 and Texas	§	
Registered Nurse License Number 739746	§	
issued to JEANNETTE SANCHEZ	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of JEANNETTE SANCHEZ, Multi State Licensure Compact Privilege Associated with Arizona Registered Nurse License Number 126855 and Texas Registered Nurse License Number 739746, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(8) & (13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on May 25, 2007, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 professional nursing in the State of Texas and holds a license to practice professional nursing in the State of Arizona which is in Inactive status.

4. Respondent received an Associate Degree in Nursing from Phoenix College, Phoenix, Arizona on December 12, 2003. Respondent was licensed to practice professional nursing in the State of Arizona on March 2, 2004 and licensed to practice professional nursing in the State of Texas on March 29, 2007.

5. Respondent's professional nursing employment history includes:

3/04 - 6/04	Staff Nurse Scottsdale HealthCare Scottsdale, Arizona
7/04 - 9/05	Staff Nurse Thomason Hospital El Paso, Texas
9/05 - 12/06	Staff Nurse Sierra Providence Health Network El Paso, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Thomason Hospital, El Paso, Texas, and had been in this position for one (1) year.

7. On or about July 26, 2005, while utilizing her multi state licensure compact privilege through her license to practice professional nursing in the State of Arizona, and employed with Thomason Hospital, El Paso, Texas, Respondent transferred Patient Medical Record Number 00000-074-81-05, who had multiple medication problems and experienced a hypoglycemic episode while in the emergency room, to the telemetry unit without an intravenous infusion of Dextrose 10% as ordered by the physician. Respondent's failure to ensure that the patient's intravenous infusion of Dextrose 10% was connected and infusing while en route to the telemetry unit resulted in the patient's glucose level dropping to "35" and experiencing another hypoglycemic episode whereby the patient became non-responsive and incoherent. Patient Medical Record Number 00000-074-81-05 was subsequently transferred to the intensive care unit for stabilization.

8. On or about March 27, 2007, Respondent's license was issued a Decree of Censure and assessed a $1000.00 Civil Penalty by the State of Arizona, Arizona Board of Nursing for the incident in Finding of Fact Number Seven (7). A copy of the March 27, 2007 Consent Agreement and Order, Findings of Fact and Conclusions of Law, is attached and incorporated by reference, as part of this Order.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she provided nursing care to this patient in the Emergency Room for almost (8) hours and checked this patient's blood sugars every hour while Dextrose 10% was infusing. Just prior to transferring the patient to the Telemetry Unit, the patient's blood sugar was in the "60's." Respondent denies that she disconnected or delegated the discontinuation of the patient's intravenous fluids.

10. While utilizing her multi state compact privilege associated with her license to practice professional nursing in the State of Arizona and employed with Sierra Providence Health Network, El Paso, Texas, Respondent practiced professional nursing in the State of Texas while her Arizona license was in inactive status January 10, 2006 - December 13, 2006. Respondent changed her primary state of residence to the State of Texas in January 2006 and failed to apply for a license in the State of Texas in violation of the multi state licensure compact rules.

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, 22 TEX. ADMIN. CODE §217.11(1)(A), (B) & (C), 217.12(11)(B) and 22 TEX. ADMIN. CODE §220.2.

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Multi State Licensure Compact Privilege Associated with Arizona Registered Nurse License Number R126855 and Texas Registered Nurse License Number 739746 heretofore issued to JEANNETTE SANCHEZ, including revocation of Respondent's Multi State Licensure Compact Privilege Associated with Arizona Registered Nurse License Number R126855 and license to practice professional 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 a REMEDIAL EDUCATION AND 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 Professional 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 professional 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 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 JEANNETTE SANCHEZ, to the office of the Board of Nurse Examiners within ten (10) days from 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 <u>not</u> 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 pay a monetary fine in the amount of two hundred fifty dollars ($250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order days of the suspension being stayed. Payment is to be made directly to the Board of Nurse Examiners 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 professional nursing in the State of Texas.

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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 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 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 Multi State Licensure Compact Privilege Associated with Arizona Registered Nurse License Number R126855 and my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 13 day of September, 2007.

JEANNETTE SANCHEZ, Respondent

Sworn to and subscribed before me this 13th day of Sept, 2007.

SEAL

Notary Public in and for the State of Texas

L.M. ENRIQUEZ
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Exp. 06-18-08

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 13th day of September, 2007, by JEANETTE SANCHEZ, Multi State Licensure Compact Privilege Associated with Arizona Registered Nurse License Number R126855 and Texas Registered Nurse License Number 739746, and said Order is final.

Effective this 18th day of September, 2007.

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

Janet Napolitano
Governor

Joey Ridenour
Executive Director

Arizona State Board of Nursing
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E-Mail: arizona@azbn.org
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AFFIDAVIT OF CUSTODIAN OF RECORDS

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **JEANETTE NICOLE SANCHEZ**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing at 4747 N. 7th Street, Suite 200, Phoenix, Arizona 85020 on April 19, 2007.

SEAL

Joey Ridenour RN MN

Joey Ridenour, R.N., M.N.
Executive Director

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BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF PROFESSIONAL NURSE LICENSE NO.: RN126855 ISSUED TO: JEANETTE NICOLE SANCHEZ RESPONDENT	))))))	**DECREE OF CENSURE WITH CIVIL PENALTY** **CONSENT AGREEMENT AND ORDER NO: 0512114**

A complaint charging Jeanette Nicole Sanchez ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F) (5), the undersigned parties enter into this Consent Agreement as a final disposition of this matter:

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Jeanette Nicole Sanchez ("Respondent") holds Board issued professional nurse license no. RN126855.

2. The Board has authority pursuant to A.R.S. §§32-1606, 32-1663, and 32-1664 to impose disciplinary sanctions against the holders of nursing licenses for violations of the Nurse Practice Act, A.R.S. §§32-1601 to -1667.

3. From in or about July 2004 to in or about September 2005, Respondent was employed as a professional nurse at Thomason Hospital in El Paso, Texas. On or about July 26, 2005, Respondent transferred a patient with multiple medical problems and unstable blood sugars from the emergency department to the floor. The patient had a physician's order for an

infusion of dextrose 10%. Respondent transferred the patient to the floor without the dextrose infusing, contributing to the patient having a critically low blood sugar of 35, and later requiring a transfer to the Intensive Care Unit.

4. According to Respondent, she did not disconnect or delegate the disconnection of the dextrose to anyone, but failed to ensure the infusion was running prior to transferring the patient. Respondent accepted responsibility for her actions.

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663 and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. § 32-1663 (D), as defined in A.R.S. § 32-1601(16), (d) and (j); and A.A.C. R4-19-403(B), (1), (2) and (10).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to AR.S. § 32-1664(N) to revoke, suspend or take other disciplinary action against the license of Respondent to practice as a professional nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact and Conclusions of Law.

In lieu of a formal hearing on these issues, Respondent agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal or judicial review relating to this Consent Agreement and Order.

Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

Respondent understands that those admissions are conclusive evidence of a prior violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation has been either obtained or is waived.

Respondent understands that this Consent Agreement is effective upon its acceptance by the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by the Respondent, the agreement cannot be withdrawn without the Board's approval or by stipulation between the Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by the Board and by Respondent. If the Consent Agreement is signed on different dates, the later date is the effective date.

Respondent

Dated: 4/3/07

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridenour, R.N., M.N.
Executive Director

Dated: March 27, 2007

MUNGER/RN126855

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to the provision and penalties imposed as follows:

A. Respondent's consent to the terms and conditions of this Order and waiver of public hearing are accepted.

B. It is ordered that a DECREE OF CENSURE be entered against license no. RN126855, held by Respondent.

C. Respondent shall be assessed a Civil Penalty in the amount of One Thousand and No/100 Dollars ($1,000.000).

(1) Respondent shall pay the Civil Penalty, in full, via cash, cashier's check or money order by May 30, 2007.

(2) If Respondent fails to pay the Civil Penalty, in the manner stated in paragraph C.(1), above, Respondent's professional nursing license shall be AUTOMATICALLY SUSPENDED. The suspension of the professional nursing license or shall continue until one of the following events occurs:

(a) the civil penalty is paid in full:

Respondent shall pay the Civil Penalty, in full, via cash, cashier's check or money order before the certified nursing assistant certificate is granted. No personal checks or business checks are accepted;

or

(b) one calendar year from the due date stated in paragraph B.(1) has expired. If Respondent fails to pay the Civil Penalty, in full, within one year from the due date

stated in paragraph C. (1), above, Respondent's professional nursing license shall be AUTOMATICALLY REVOKED for a period of five (5) years, pursuant to A.R.S. § 32-1664(N).

Respondent agrees to waive any hearing, rehearing and all appeal rights or remedies regarding any suspension or revocation imposed pursuant to this paragraph.

D. This Order becomes effective upon the Board's and Respondent's acceptance of the Consent Agreement as evidenced by the Executive Director's and Respondent's respective signatures. The effective date is the date the final fully executed and sealed Consent Agreement and Order is mailed to Respondent.

ARIZONA STATE BOARD OF NURSING

Joey Ridenour, R.N., M.N.
Executive Director

Dated: March 27, 2007

JR/SMM:smm

COPY mailed this 30th day of March, 2007, by First Class Mail to:

Jeanette Nicole Sanchez
6201 London Bridge
El Paso TX 79934

And

Jeanette Nicole Sanchez
5000 Cockrell Lane
El Paso TX 79924

By: ***D. Lindsey***
Legal Secretar y