

Respondent's professional nursing employment history continued:

01/1988 - 04/1996	Staff Nurse	M. D. Anderson Cancer Center Houston, Texas
05/1996 - 07/1997		Unknown
08/1997 - 08/1998	Nurse	Memorial Hermann Hospital Houston, Texas
09/1998 - 11/2000		Unknown
12/2000 - 01/2002	Staff Nurse	Select Specialty Hospital Houston, Texas
02/2002 - 08/2005	Staff Nurse	Plaza Specialty Hospital Houston, Texas
09/2005 - Present		Unknown

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Plaza Specialty Hospital, Houston, Texas, and had been in this position for three (3) years and five (5) months.
7. On or about July 1, 2005, through July 2, 2005, while employed with Plaza Specialty Hospital, Houston, Texas, Respondent failed to assess and/or sufficiently document the changes in the deteriorating condition of Patient Number 5003597, including a detailed description of patient's condition. Respondent observed the patient at 1930 and again at 2130, and four (4) hours later, at 0100, Respondent checked the patient and the patient appeared to be "sleeping." Although the patient had a productive cough, frothing pink sputum, agonal breathing, and a critically reduced oxygen saturation of 57% according to the Charge Nurse, Respondent documented only that the patient was short of breath with rhonchi in the lungs, had an increased pulse and respirations rate, and that the oxygen saturation level was 85%. The patient expired forty-five (45) minutes later. Respondent's conduct may have delayed medically necessary interventions and may have contributed to the patient's demise.
8. On or about August 2, 2005, through August 3, 2005, while employed with Plaza Specialty Hospital, Houston, Texas, Respondent inappropriately initiated intravenous (IV) access for antibiotic infusion for Patient Number 5003448 in the same extremity as the patient's arteriovenous (AV) graft, used for hemodialysis. Respondent's conduct was likely to injure the patient in that using an AV graft for IV access could cause the graft to develop a blood clot or become infected.

9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent denies that she failed to assess and intervene regarding Patient Number 5003597, and states that she was on the phone receiving "continuous" orders. According to Respondent, the Patient's daughter stated that the patient had a Do Not Resuscitate (DNR) and Living Will Directives, at home, and that she would have them brought to the facility. When the Charge Nurse instructed her to call the "code blue," Respondent states she told the Charge Nurse that the emergency room physician was on the phone with the patient's primary physician, and they were discussing the patient's DNR status. The Charge Nurse did not pull the "code blue" button, and a physician's order for DNR was received. Regarding Patient Number 5003448, Respondent admits she initiated intravenous (IV) access for an antibiotic infusion in the same extremity as patient's arteriovenous (AV) graft.
10. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice professional nursing in the State of Texas.

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)&(3)(A) and 217.12(1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against License Number 454378, heretofore issued to YONG JA PAIK, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered License Number 454378, heretofore issued to YONG JA PAIK, to practice nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to YONG JA PAIK, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 19th day of July, 2007.

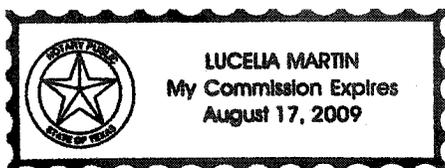
Yong Ja Paik
YONG JA PAIK, Respondent

Sworn to and subscribed before me this 19th day of July, 2007

SEAL

Lucelia Martin

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 accept the voluntary surrender of Registered Nurse License Number 454378, previously issued to YONG JA PAIK.

Effective this 24th day of July, 2007.



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