

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse § AGREED
License Number 645657 §
issued to JOHN CHRISTOPHER SULLIVAN § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of JOHN CHRISTOPHER SULLIVAN Registered Nurse License Number 645657, 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 February 13, 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.
4. Respondent received an Associate Degree in Nursing from The University of Toledo Community & Technical College, Toledo, Ohio, on June 13, 1997. Respondent was licensed to practice professional nursing in the State of Texas on September 30, 1997.
5. Respondent's professional nursing employment history includes:

10/1997 - 06/1998 Unknown



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

Respondent's professional nursing employment history continued:

07/1998 - 06/1999	Floor Nurse	Healthsouth Rehabilitation Hospital Fort Worth, Texas
07/1999 - 05/2000	Charge Nurse	Granbury Care Center Granbury, Texas
06/2000 - 07/2000	Agency Nurse	Maxim Healthcare Fort Worth, Texas
07/2000 - 01/2001	Telemetry Travel Nurse	StarMed Staffing Lowell, Massachusetts
01/2001 - 02/2004	Staff Nurse	Baylor All Saints Medical Center Fort Worth, Texas
02/2004 - Present	Unknown	

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, and had been in this position for three (3) years and six (6) months.
7. On or about July 6, 2004, while employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent failed to inform the physician in a timely manner that Patient Medical Record Number M000264173 had fallen. In addition, Respondent administered Benadryl for sedation to the patient within thirty-five (35) minutes of the fall. Respondent's conduct created an unsafe environment for the patient and was likely to injure the patient by masking signs and symptoms of head and other injuries related to the fall. In addition, Respondent's conduct was likely to injure the patient in that his failure to notify the physician possibly delayed medical treatment needed as a result of the fall.
8. On or about January 20, 2005, while employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent failed to notify the physician that he had removed the indwelling catheter of Patient Medical Record Number M000739493 and that the patient subsequently had bloody drainage from his urethra. Instead, Respondent ordered a CBC (complete blood count), without a physician's authorization. As a result, the next day the patient required the services of a consultant urologist, who ordered placement of a specialized catheter and intermittent catheter irrigations due to the bloody drainage. Respondent's conduct may have contributed to the patient's injury, and in addition, delayed medically necessary treatment for the patient, which in turn may have created added health and financial burdens for the patient.

9. On or about January 27, 2005, while employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent failed to assess the change in level of consciousness of Patient Medical Record Number M000282527, and failed to notify the physician and/or the charge nurse of the changes. Toward the end of his twelve (12) hour shift, Respondent sent the patient to the Cardiac Cath Lab, where the cardiologist immediately recognized the change in the patient's status, cancelled the catheterization and returned the patient to the Cardiac Telemetry Unit. The patient was then transferred to the Coronary Care Unit, where she was intubated and placed on mechanical ventilation. Respondent's conduct was likely to injure the patient from progression of undetected clinical complications, and in addition, may have delayed medically necessary treatments.
10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that he administered the Benadryl to the patient based upon the physician's order that it could be administered as needed for agitation and because the patient was complaining of catheter discomfort. Respondent states the Shift Supervisor informed him that it was okay to wait until near shift change to notify the physician and family. Regarding the catheter removal, Respondent states that the patient repeatedly requested the catheter be removed over a period of hours and that he ordered the CBC to make sure that significant blood loss was not occurring. Respondent states that had he known at the time that the catheter had been placed for urological reasons, he would most certainly have called the doctor and notified him of the request to discontinue the catheter. Regarding the patient with a change in level of consciousness, Respondent states he believed at the time that the patient was normally lethargic based upon information provided by the family, who stated that the patient was always like that when she's sleeping.

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(3),(4)&(5), 217.11(1)(D),(1)(P)&(3)(A)[*effect. 9/28/04*], 217.12(3)&(4) and 217.12(1)(A),(1)(B) &(4)[*effect. 9/28/04*].
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 645657, heretofore issued to JOHN CHRISTOPHER SULLIVAN, 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 Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, 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 JOHN CHRISTOPHER SULLIVAN, 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. 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, and documentation of

care. 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 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>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have 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, SHOULD RESPONDENT PRACTICE AS A REGISTERED 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 REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer 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 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.

(6) 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.

(7) RESPONDENT SHALL be supervised by a Registered 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.

(8) 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 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) months for one (1) year of employment as a nurse.

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.

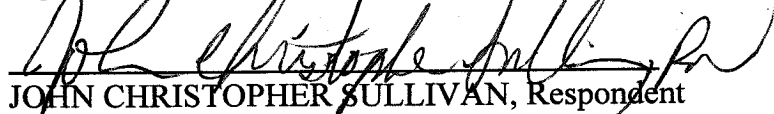
BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

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 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 license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

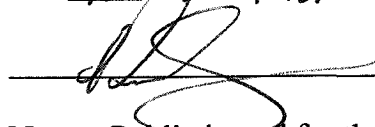
Signed this _____ day of _____, 20____.



JOHN CHRISTOPHER SULLIVAN, Respondent

Sworn to and subscribed before me this 15 day of March, 2007.

SEAL



Notary Public in and for the State of Arizona



ROBERT SOMOZA
Notary Public - Arizona
Maricopa County
Expires 09/30/08

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 15th day of March, 2007, by JOHN CHRISTOPHER SULLIVAN, Registered Nurse License Number 645657, and said Order is final.

Effective this 19th day of April, 2007.



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