BEFORE THE TEXAS BOARD OF NURSING

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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 Registered Nurse License Number 678315	§	AGREED
issued to JENNIFER RUTH WHITFIELD	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of JENNIFER RUTH WHITFIELD, Registered Nurse License Nu 678315, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on November 20, 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 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 Trinity Valley Community College, Kaufman, Texas, on May 7, 2001. Respondent was licensed to practice professional nursing in the State of Texas on June 26, 2001.

5. Respondent's complete professional nursing employment history is unknown.

6. On or about May 6, 2005, Respondent entered a plea of Guilty to SIMPLE ASSAULT (a Class C Misdemeanor offense committed on April 6, 2005), in the Municipal Court, City of West Tawakoni, Hunt County, Texas, under Cause No. 05-815. As a result of the plea, Respondent was placed on Deferred Probation for a period of thirty (30) days and ordered

to pay a fine.

7. In response to Finding of Fact Number Six (6), Respondent states: "I was issued a citation on the 6th day of April, 2005, for Simple Assault. I entered a plea of guilty to the City of West Tawakoni Municipal Court on the 6th day of May, 2005, to the act of spraying the complainant, Jessica Topping, with a water hose. At the time of my plea, I was not provided with the actual complaint that had been filed against me, and in fact, was unaware that it existed. The circumstances of the complaint are untrue."

8. On or about July 3, 2005, Respondent submitted her Texas Online Renewal Document to the Board of Nurse Examiners for the State of Texas. Respondent did not properly disclose information to the Board of Nurse Examiners for the State of Texas when she answered "No" to the question:

> Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest(excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudiceof guilt. Please note that DUIs, DWIs, PIs must be reported and are not considered minor traffic violations. (One time minor in possession [MIP] or minor in consumption [MIC] do not need to be disclosed, therefore, you may answer "No." If you have two or more MIPs or MICs, you must answer "Yes".).

On or about April 6, 2005, Respondent received a citation from the West Tawakoni Police Department, West Tawakoni, Texas, for SIMPLE ASSAULT (a Class C Misdemeanor offense). On or about May 6, 2005, Respondent entered a plea of Guilty to SIMPLE ASSAULT, in the Municipal Court, City of West Tawakoni, Hunt County, Texas, under Cause No. 05-815.

9. In response to Finding of Fact Number Eight (8), Respondent states that she failed to understand that the offense was not already properly disclosed to the Board of Nurse Examiners for 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 violation of Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(H)&(I)&(13).

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 678315, heretofore issued to JENNIFER RUTH WHITFIELD, 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, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to 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 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 JENNIFER RUTH WHITFIELD to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars ($250). 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.

(3) 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.bon.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 professional nursing in the State of Texas.

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/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 professional nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

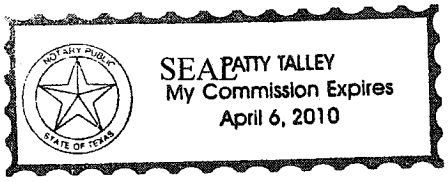
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28 day of March, 2008.

Jennifer Ruth Whitfield

JENNIFER RUTH WHITFIELD, Respondent

Sworn to and subscribed before me this 28 day of March, 2008.



Patty Talley

Notary Public in and for the State of Texas

Approved as to form and substance.

RONALD E. HARDEN, 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 28th day of March, 20 08, by JENNIFER RUTH WHITFIELD, Registered Nurse License Number 678315, and said Order is final.

Effective this 8th day of April, 20 08.

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