

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse
License Number 533613
issued to JILL M. HOPPER

§ AGREED
§
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of JILL M. HOPPER, Registered Nurse License Number 53361 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1) and (10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on December 21, 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 Navarro College, Corsicana, Texas on May 1, 1985. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 1986. Respondent received a Certificate as a Women's Health Care Nurse Practitioner from The University of Texas Southwestern Medical School, Dallas, Texas, on September 6, 2001. Respondent was recognized as a Women's Health Care Nurse Practitioner by the Board of Nurse Examiners for the State of Texas on November 6, 2001, and received Prescriptive Authority on November 16, 2001.



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

5. Respondent's professional nursing employment history includes:

1986 - 1988	Staff/Charge Nurse Relief House Supervisor	East Texas Medical Center Athens, Texas
1988 - 1998	Emergency Department Director	East Texas Medical Center Athens, Texas
1997 - 2000	Hospital Trauma Services Coordinator	East Texas Medical Center Athens, Texas
2001 - 2002	Nurse Practitioner	The Women's Wellness Center Athens, Texas
1/2003	Unknown	
2/03 - 7/05	Nurse Practitioner	Lake Highland Medical Clinic Dallas, Texas
8/05 - present	Nurse Practitioner	Dallas Family Medicine Dallas, Texas

6. On September 12, 2006, Respondent was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated September 12, 2006, is attached and incorporated, by reference, as part of this Order.

7. On or about December 15, 2006, March 16, 2007, and June 15, 2007, while employed with Dallas Family Medicine, Dallas, Texas, Respondent failed to comply with the Agreed Order issued to her on September 12, 2006, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Seven (7) of the Agreed Order which states, in pertinent part:

(7) ...RESPONDENT SHALL ensure that the monitor submit reports, addressing RESPONDENT's progress in overcoming these deficiencies to the office of the Board at the end of each three (3) months for the one (1) year stipulation period....

8. Respondent states she was waiting for the Board to choose a monitor, among the three (3) names she submitted, in order for the evaluations to be sent to her.

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)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).
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 533613, heretofore issued to JILL M. HOPPER, 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 a REPRIMAND 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 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of seven hundred fifty (\$750.00) dollars. 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.

(2) The Order of the Board issued to RESPONDENT on September 12, 2006, is still in effect in its entirety and RESPONDENT SHALL be responsible for completing the terms of that Order.

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 31 day of March, 2008.

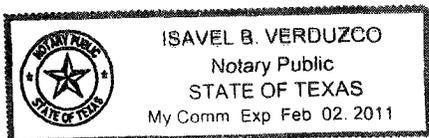
Jill M. Hopper
JILL M. HOPPER, Respondent

Sworn to and subscribed before me this 31 day of March, 2008.

SEAL

Isavel B. Verduzco

Notary Public in and for the State of TX



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 31st day of March, 2008, by JILL M. HOPPER, Registered Nurse License Number 533613, and said Order is final.

Effective this 13th day of May, 2008.



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse	§	AGREED
License Number 533613	§	
issued to JILL M. HOPPER	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of JILL M. HOPPER, Registered Nurse License Number 533613, 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 informal conference, notice and hearing, and agreed to the entry of this Order offered on March 28, 2006, 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 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 Navarro College, Corsicana, Texas, on May 1, 1985, and received a Certificate as a Women's Health Care Nurse Practitioner from The University of Texas Southwestern Medical School, Dallas, Texas, on September 6, 2001. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 1986, became Board recognized as a Women's Health Care Nurse Practitioner on November 6, 2001, and received Prescriptive Authority on November 16, 2001.

5. Respondent's professional nursing employment history includes:

1986 - 1988	Staff Nurse; Charge Nurse & Relief House Supervisor	East Texas Medical Center Athens, Texas
1988 - 1998	Emergency Department Director	East Texas Medical Center Athens, Texas
1997 - 2000	Hospital Trauma Services Coordinator	East Texas Medical Director Athens, Texas
2001 - 2002	Nurse Practitioner	The Women's Wellness Center Athens, Texas
1/2003	Unknown	
2/2003 - 7/2005	Nurse Practitioner	Lake Highland Medical Clinic Dallas, Texas
08/2005 - Present	Nurse Practitioner	Dallas Family Medicine Dallas, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Nurse Practitioner with Lake Highland Medical Clinic, Dallas, Texas, and had been in this position for less than one (1) month.
7. On or about February 2003, through July 2005, while employed as a Nurse Practitioner at Lake Highland Medical Clinic, Dallas, Texas, Respondent exceeded her Board authorized scope of practice as a Women's Health Care Practitioner in that she managed medical aspects of care for men and children. Respondent's conduct was likely to injure patients from medical care formulated without adequate and appropriate education, training, and clinical expertise.
8. On or about August 2005, through January 2006, while employed as a Nurse Practitioner at Dallas Family Medicine, Dallas, Texas, Respondent continued to exceed her Board authorized scope of practice as a Women's Health Care Practitioner by managing medical aspects of care for men and children. Respondent's conduct was likely to injure patients from medical care formulated without adequate and appropriate education, training, and clinical expertise.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states she believed that the content of her education was not gender restricted, and based on her review of Board Rules and Regulations, Respondent believed her scope of practice could expand according to her education, work history, clinical experiences, and demonstrable competency.

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(4)(A) [effective 9/28/04], 217.12(1)&(12), 217.12(1)(A)&(4) [effective 9/28/04], 221.4(c), 221.12(1) & 221.13(b).
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 533613, heretofore issued to JILL M. HOPPER, 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 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 JILL M. HOPPER, 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) RESPONDENT SHALL pay a monetary fine in the amount of seven hundred fifty dollars (\$750.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. 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, SHOULD RESPONDENT PRACTICE AS A WOMEN'S HEALTH CARE NURSE PRACTITIONER IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL 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 WITH ADVANCED PRACTICE RECOGNITION AS A WOMEN'S HEALTH CARE NURSE PRACTITIONER WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in professional and advanced practice 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 professional and advanced practice 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 professional and advanced practice 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 professional or advanced practice nurse.

(7) Should RESPONDENT choose to work as a Women's Health Care Nurse Practitioner (WHCNP), RESPONDENT'S advanced practice nursing will be monitored for one (1) year by a physician or Women's Health Care Nurse Practitioner who has been approved by the Board. RESPONDENT must provide a list of three (3) physicians and/or three (3) Women's Health Care Nurse Practitioners from which the Board shall select. For each physician and/or Women's Health Care Nurse Practitioner, the list must include the following information: name, license number or social security number, educational background and professional employment history. Monitoring shall commence no later than thirty (30) days following the date of RESPONDENT's receipt of the name of the monitor selected by the Board. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth in this Order do not reoccur. RESPONDENT SHALL meet with the monitor at least twice a month, at least one (1) hour duration each. RESPONDENT SHALL ensure that the monitor submits reports, addressing RESPONDENT's progress in overcoming these deficiencies to the office of the Board at the end of each three (3) months for the one (1) year stipulation period. Meetings may be longer and more frequent if the monitor determines necessary. Multiple employers are prohibited.

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.

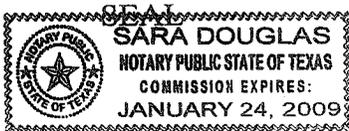
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 1 day of August, 2006.

Jill M. Hopper
JILL M. HOPPER, Respondent

Sworn to and subscribed before me this 1 day of August, 2006.



Sara Douglas
Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn R. Mackay
Taralynn Mackay, Attorney for Respondent

Signed this 21st day of July, 2006.

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 1st day of August, 2006, by JILL M. HOPPER, Registered Nurse License Number 533613, and said Order is final.

Effective this 12th day of September, 2006.



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