



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED  
Vocational Nurse License Number 305998 §  
issued to BREANNA NASHIA COOPER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BREANNA NASHIA COOPER, Vocational Nurse License Number 305998, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on January 26, 2018.

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(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Dallas Nursing Institute, Dallas, Texas on December 2, 2011. Respondent was licensed to practice vocational nursing in the State of Texas on February 23, 2012.
5. Respondent's nursing employment history includes:

03/2012 - 06/2013	Vocational Nurse	Crestview Court Nursing and Rehab Cedar Hill, Texas
01/2013 - 06/2014	Vocational Nurse	Millbrook Nursing and Rehab Lancaster, Texas
01/2014 - 04/2015	Vocational Nurse	Cuddle Me Home Health Garland, Texas

06/2014 - 04/2015	Vocational Nurse	Nexus Recovery Center Dallas, Texas
04/2015 - 12/2015	Vocational Nurse	Homeward Bound. Inc. Dallas, Texas
12/2015 - Present	Vocational Nurse	Nexus Recovery Center, Inc. Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Vocational Nurse with Homeward Bound, Inc., Dallas, Texas, and had been in that position for eight (8) months.
7. On or about November 28, 2015, while employed as a Vocational Nurse with Homeward Bound, Inc., Dallas, Texas, Respondent did not take reasonable steps to ensure a Clinical Institute Withdrawal Assessment (CIWA) for Patient Medical Record Number 5103066 was completed every four (4) hours or PRN, as ordered, and did not take reasonable steps to ensure that Staff was completing and documenting safety checks every thirty (30) minutes, as ordered.
8. It was the responsibility of the staff technician to complete and document safety checks every thirty (30) minutes, as this had been delegated to the staff technician.
9. In response to Finding of Fact Number Seven (7), Respondent provides that the staff technician informed and reported to Respondent that he had completed and documented safety checks as required with no noted unusual findings regarding Patient Medical Record Number 5103066 during the entirety of this shift. Further, Respondent provides that she checked in routinely, regularly, and personally with the tech during this shift and the tech never reported to her anything out of the ordinary or unusual with respect to any patients' condition or status, other than the fact that the subject patient appeared to be resting/sleeping.
10. Respondent has no prior disciplinary action with the Board.
11. Respondent provided character letters from her current employer and colleagues that support opinions of a dedicated and exemplary nurse. Respondent also provided a performance evaluation that was favorable and consistent with the character letters.

#### 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(s) of 22 TEX. ADMIN. CODE §217.11(1)(D) &(2).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 305998, heretofore issued to BREANNA NASHIA COOPER.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement

under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

## TERMS OF ORDER

### I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION, DEFERRED**, in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

### II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

Further, RESPONDENT SHALL not commit any violation of the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* **for a period of three (3) years from the date of this Order.**

### III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion,

RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

#### IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) 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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.
- B. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- C. The course **"Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

#### V. EFFECT OF DEFERRED DISCIPLINE

**Upon successful completion of the stipulated requirements of this Order,** all encumbrances will be removed from Respondent's license(s) to practice nursing in the State of Texas and,

subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

**Upon the successful completion of the required three (3) year period of deferral,** the complaint or complaints which formed the basis for this action will be dismissed and this Order will be made confidential to the same extent as a complaint filed under Section 301.466, Texas Occupations Code.

Until such time that this Order is made confidential, this Order is subject to disclosure in accordance with applicable law.

Should an additional allegation, complaint, accusation, or petition be reported or filed against Respondent prior to the time this Order is made confidential, the deferral period shall be extended until the allegation, accusation, or petition has been finally acted upon by the Board.

Should RESPONDENT commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action.

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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 violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order. 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

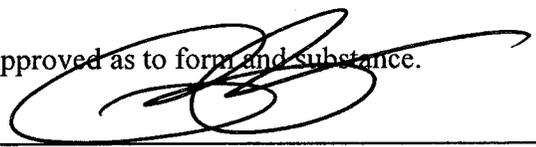
Signed this 26 day of January, 2018.  
Breanna N. Cooper  
BREANNA NASHIA COOPER, Respondent

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

Approved as to form and substance.

  
\_\_\_\_\_  
PHONG PHAN, Attorney for Respondent

Signed this \_\_\_\_ day of January, 2018.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 26th day of January, 2018, by BREANNA NASHIA COOPER, Vocational Nurse License Number 305998, and said Order is final.

Effective this 1st day of February, 2018.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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