BOARD OF NURSING TEXAS
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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Registered Nurse License Number 888592	§	FOR
issued to MASON JEFFREY POWELL	§	KSTAR PILOT PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MASON JEFFREY POWELL, Registered Nurse License Number 888592, 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)(10)&(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 November 1, 2017.

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 professional nurse in the State of Texas is in current status.

4. Respondent received a Baccalaureate Degree in Nursing from the University of Texas of the Permian Basin, Odessa, Texas, on May 9, 2015. Respondent was licensed to practice professional nursing in the State of Texas on October 20, 2015.

5. Respondent's nursing employment history includes:

   10/15 - 12/15 Unknown

Respondent's nursing employment history continued:

01/16 - 05/17	RN	Austin State Hospital Austin, Texas
06/17 - 08/17	RN	Austin Oaks Hospital Austin, Texas
09/17 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Austin Oaks Hospital, Austin, Texas, and had been in that position for two (2) months.

7. On or about August 18, 2017, while employed as a Registered Nurse with Austin Oaks Hospital, Austin, Texas, Respondent administered Temazepam to Patient Medical Record Number 7169 in excess dosage of the physician's order, in that the order called for 7.5mg of Temazepam and Respondent administered 75mg of Temazepam. Respondent's conduct was likely to injure the patient from adverse effects of possible Temazepam toxicity, including reduced blood pressure, decreased respiratory rate, over sedation and/or respiratory failure.

8. In response to Finding of Fact Number Seven (7), Respondent states he began the midnight medication pass after reviewing the orders for each patient. Respondent states the orders for this particular patient were not particularly clear and although the physician had ordered 7.5mg of Temazepam, the decimal point was unapparent. Since he committed the error, Respondent states he has been improving his knowledge of Temazepam and other benzodiazepines.

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)(A),(1)(B),(1)(C)&(1)(N) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(4).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 888592, heretofore issued to MASON JEFFREY POWELL.

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 that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** 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.

III. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PILOT PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program and RESPONDENT SHALL:

(A) Within forty-five (45) days of entry of this Order, apply to and enroll in the KSTAR Pilot Program, including payment of any fees and costs, unless otherwise agreed in writing;

(B) Submit to an individualized assessment designed to evaluate

RESPONDENT'S nursing practice competency and to support a targeted remediation plan;

(C) Follow all requirements within the remediation plan, if any;

(D) Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Pilot Program; and

(E) Provide written documentation of successful completion of the KSTAR Pilot Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Pilot Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of Respondent's license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

V. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms 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.

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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, 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28 day of December, 2017.

Mason Powell

MASON JEFFREY POWELL, Respondent

Sworn to and subscribed before me this 28 day of December, 2017.

SEAL

HALEY BYERS
Notary Public
STATE OF TEXAS
My Comm. Exp. 07-30-18

Notary Public in and for the State of Texas

Approved as to form and substance.

D'Souza

Andre D'Souza, Attorney for Respondent

Signed this 9TH 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 28th day of December, 2017, by MASON JEFFREY POWELL, Registered Nurse License Number 888592, and said Order is final.

Effective this 13th day of February, 2018.

Katherine A. Thomas

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