



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  
Registered Nurse License Number 563739 §  
issued to ROSE NNAKE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ROSE NNAKE, Registered Nurse License Number 563739, 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 February 5, 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 professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Houston Community College, Houston, Texas, on May 1, 1990; received a Baccalaureate Degree from The University of Texas, Houston, Texas, in 1998; and received a Masters Degree in Nursing from The University of Phoenix on August 29, 2012. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1990.

Respondent's nursing employment history includes:

8/1990 - 1991	Medical/Surgical Nurse	Memorial City Hospital Houston, Texas
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Respondent's nursing employment history continued:

1991 - 1998	Emergency Room Nurse	St. Joseph's Hospital Houston, Texas
1998 - 1999	School Nurse	Houston Independent School District Houston, Texas
1999 - 10/2008	Nurse III Surveyor	Texas Department of Aging and Disability Services Houston, Texas
2005 - 10/2009	Weekend House Supervisor	Plaza Specialty Hospital Houston, Texas
10/2008 - 9/2016	Case Manager Supervisor	Richmond State Supported Living Center Richmond, Texas
2/2013 - 5/2016	Nursing Instructor	Houston Community College Houston, Texas
9/2014 - 3/2016	Case Manager	University of Texas Health Houston, Texas
6/2016 - 5/2017	Director of Nursing (DON)	Westbury Place Houston, Texas
6/2017 - Present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as the Director of Nursing (DON) with The Westbury Place, Houston, Texas, and had been in that position for eleven (11) months.
7. On or about May 4, 2017, through May 11, 2017, while employed as the DON with The Westbury Place, Houston, Texas, Respondent failed to monitor and ensure that staff were obtaining and documenting any catheter leakage, urine output, Foley catheter replacement, and assessments on Resident SP. In addition, Respondent failed to ensure that the staff notified the aforementioned resident's provider when the catheter was leaking and of increasing blood pressure readings. Respondent's conduct was likely to injure the resident from ineffective treatment, and deprived the resident's physician the opportunity to institute medical interventions.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the resident's catheter had been leaking for a long time, the physicians and Nurse Practitioner

were aware, and the Medical Director said that it would leak no matter what size catheter because she had had a catheter for a long time. Respondent indicates that the staff had several in-services on documentation, and that staff documentation was monitored and reviewed. Respondent relates that the resident was being assessed, and vitals were documented.

### 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)(M),(1)(P)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(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 563739, heretofore issued to ROSE NNAKE.
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 **REMEDIAL EDUCATION** 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. 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. **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. 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 waive representation by counsel. 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.

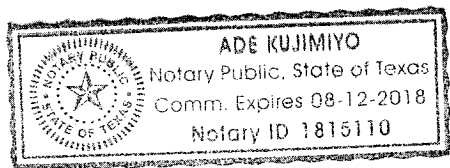
Signed this 23<sup>rd</sup> day of February, 2018.

Rose NNAKE  
ROSE NNAKE, Respondent

Sworn to and subscribed before me this 23<sup>rd</sup> day of February, 2018.

SEAL

Ade Kujimiyo  
Notary Public in and for the State of TEXAS 70



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 23<sup>rd</sup> day of February, 2018, by ROSE NNAKE, Registered Nurse License Number 563739, and said Order is final.

Effective this 22nd day of March, 2018.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas". The signature is written in a cursive style with a horizontal line underneath it.

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