



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

In the Matter of § AGREED
Registered Nurse License Number 801737 §
issued to MICHELLE BRIDGET PIERCE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MICHELLE BRIDGET PIERCE, Registered Nurse License Number 801737, 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 January 30, 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 McLennan Community College, Waco, Texas, on May 6, 2011, and a Baccalaureate Degree in Nursing from The University of Texas at Tyler, Tyler, Texas, in May 2017. Respondent was licensed to practice professional nursing in the State of Texas on June 9, 2011.
5. Respondent's nursing employment history includes:

6/2011-12/2014	Registered Nurse Case Manager	Solaris Hospice
		Decatur, Texas

Respondent's nursing employment history continued:

12/2014-7/2015	Registered Nurse	Reeves County Hospital Pecos, Texas
8/2015-7/2016	Assistant Director of Nursing	Reeves County Hospital Pecos, Texas
8/2016-Present	Registered Nurse	Reeves County Hospital Pecos, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Reeves County Hospital, Pecos, Texas, and had been in that position for four (4) months.
7. On or about April 23, 2015, while employed as a Registered Nurse with Reeves County Hospital, Pecos, Texas, Respondent administered Phenergan via the incorrect route to Patient Number 10201534. Respondent administered this medication intravenously instead of intramuscularly, as ordered by the physician. Respondent's conduct exposed the patient to a risk of harm in that failure to administer medications as ordered by the physician could have resulted in injury or non-efficacious treatment of the patient's condition.
8. On or about May 3, 2015, while employed as a Registered Nurse with Reeves County Hospital, Pecos, Texas, Respondent administered Heparin via the incorrect route to Patient Number 10202630. Respondent administered this medication intravenously instead of subcutaneously, as ordered by the physician. Respondent's conduct exposed the patient to a risk of harm in that failure to administer medications as ordered by the physician could have resulted in injury or non-efficacious treatment of the patient's condition.
9. On or about July 6, 2015, while employed as a Registered Nurse with Reeves County Hospital, Pecos, Texas, Respondent administered Toradol via the incorrect route to Patient Number 10198348. Respondent administered this medication intravenously instead of intramuscularly, as ordered by the physician. Respondent's conduct exposed the patient to a risk of harm in that failure to administer medications as ordered by the physician could have resulted in injury or non-efficacious treatment of the patient's condition.
10. On or about October 20, 2016, while employed as a Registered Nurse with Reeves County Hospital, Pecos, Texas, Respondent failed to properly prepare Clinimix prior to administering it to Patient VO. Subsequently, the patient received an incorrect dosage of the medication. Respondent's conduct exposed the patient to a risk of harm in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment of the patient's condition.

11. On or about October 26, 2016, while employed as a Registered Nurse with Reeves County Hospital, Pecos, Texas, Respondent administered an incorrect dose of Zithromax to Patient EM, by giving an entire bottle of medication, mistaking it for a single dose. Additionally, Respondent failed to accurately document the actual dosage administered. Respondent's conduct was likely to injure the patient from adverse effects due to possible over dosage of antibiotic medication.
12. On or about May 2, 2017, while employed as a Registered Nurse with Reeves County Hospital, Pecos, Texas, Respondent failed to administer Lovenox, a blood thinning medication, to Patient Number 10298225, as ordered by the physician to treat a deep vein thrombosis. The oncoming shift administered the medication four (4) hours later, and the patient was found to have a pulmonary embolism, requiring transfer to a higher level of care. Respondent's conduct resulted in a delay in treatment for the patient's blood clot.
13. In response to the incident in Finding of Fact Number Seven (7), Respondent states that this was a verbal order entered by a nurse, and due diligence was not given to the order or the route for the medication to be administered. Respondent states that when the mistake was realized, the doctor was notified and the patient monitored closely. In response to the incident in Finding of Fact Number Eight (8), Respondent states that she gave the medication without scanning the patient and medication prior to administration. Respondent states that paying attention to the medication orders would have easily prevented this error, as well as scanning the patient and medication prior to administration. In response to the incident in Finding of Fact Number Nine (9), Respondent states that the order was inconclusive, and the order that the doctor entered into the computer reflected a different route than what showed on her part of the computer. Respondent states that it was agreed later when both sides were compared that the computer entries were confusing. In response to the incident in Finding of Fact Number Ten (10), Respondent states that the Clinimix was something she had never dealt with before, and she compared it to the previous bag that was hung, but she should have asked for assistance. In response to the incident in Finding of Fact Number Eleven (11), Respondent states that she does not recall giving this medication to a pediatric patient before and should have asked for assistance. Respondent states that the family was anxious to leave, and there was not another nurse present to provide guidance. Respondent adds that these errors were caused by an oversight, as well as overworking and fatigue.

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)(M)&(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 801737, heretofore issued to MICHELLE BRIDGET PIERCE, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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 **REPRIMAND 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. 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 medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete

both the didactic and clinical portions of the course.

- 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.*

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five

(5) days of employment as a nurse.

- C. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **Indirect Supervision:** For the remainder of the stipulation/probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- E. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for eight (8) quarters [two (2) years] of employment as a nurse.

VI. 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 12 day of March, 2018.

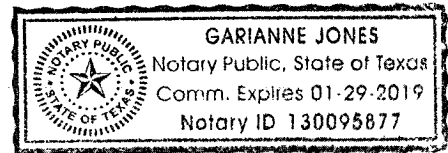
Michelle Bridget Pierce
MICHELLE BRIDGET PIERCE, Respondent

Sworn to and subscribed before me this 12th day of March, 2018.

SEAL

Garianne Jones

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 12th day of March, 2018, by MICHELLE BRIDGET PIERCE, Registered Nurse License Number 801737, and said Order is final.

Effective this 19th day of April, 2018.



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