



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 BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 642039 § AGREED
issued to JOHN O'NEILL § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of JOHN O'NEILL, License Number 642039, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(12), Revised Civil Statutes of Texas, as amended. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on November 3, 2000, 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 Abilene Intercollegiate School of Nursing, Abilene, Texas, in May 1997. Respondent was licensed to practice professional nursing in the State of Texas in June 1997.
5. Respondent's professional employment history includes:

June 1997-March 1999	Staff Nurse CICU/CCU Hendrick Medical Center Abilene, Texas
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Respondent's professional employment history continued:

March 1999-October 2000 Unemployed in Nursing

October 2000-Present Risk Manager/Education Trainer
Assistant Director of Nursing
Windcrest Alzheimer's Care Center
Abilene, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Hendrick Medical Center, Abilene, Texas, and had been in the position for one (1) year and nine (9) months.
7. On or about March 4, 1999, through March 5, 1999, while employed with Hendrick Medical Center, Abilene, Texas, Respondent failed to assess, evaluate, monitor and intervene for Medical Record #800142, a patient who complained of epigastric and chest pain. Respondent medicated the patient for her discomfort from 2015 to 0100. The patient had no relief from the discomfort. Respondent failed to perform a complete assessment to evaluate the patient's condition and lack of response to pain medications. In addition, Respondent failed to consider cardiac involvement. Respondent's conduct unnecessarily exposed the patient to the risk of cardiac arrest.
8. On or about March 4, 1999, through March 5, 1999, while employed with Hendrick Medical Center, Abilene, Texas, Respondent failed to document the urinary output for Medical Record #800142, a patient subsequently diagnosed with pulmonary edema and renal failure from acute tubular necrosis. The patient was transferred to the Intensive Care Unit (ICU) and was started on dialysis. Respondent's conduct unnecessarily exposed the patient to the risk of acute renal failure.
9. On or about March 4, 1999, through March 5, 1999, while employed with Hendrick Medical Center, Abilene, Texas, Respondent failed to follow physician's orders for Medical Record #800142 in the administration of the following medications:

The physician ordered	Respondent administered	Time of Administration
Phenergan 12.5 mg IVP, prn; or, Compazine 5 mg IVP every two (2) hours, prn	Phenergan 12.5 mg Compazine 10 mg	0045 2015; 2255
Darvocet N-100 one (1) tablet every four (4) hours, prn	Darvocet N-100 two (2) tablets	2200
Morphine sulfate 2 mg IVP, prn	Morphine sulfate 6 mg	2255; 0045
Ambien 5 mg po at hour of sleep	Ambien 5 mg	2330

Respondent administered the above medications in a four (4) hour and forty-five (45) minute period. Additionally, Respondent administered Valium 2.5 mg and Zantac 150 mg to the patient. The next morning, the patient was found to be lethargic and was treated with Narcan

1.2 mg. The patient was transferred to the ICU with a cardiac monitor. Respondent's conduct unnecessarily exposed the patient to the risk of over sedation due to the Respondent's failure to take into consideration the cumulative effect of the above-mentioned medication.

10. On or about March 4, 1999, through March 5, 1999, while employed with Hendrick Medical Center, Abilene, Texas, Respondent failed to notify the physician of a status change for Medical Record #800142. Respondent failed to contact the patient's physician after the patient showed no signs of improvement from the aforementioned medications. Respondent said that he did a hallway consultation with a physician who was not responsible for the patient's care. Respondent's conduct unnecessarily exposed the patient to the risk of inappropriate diagnosis thereby receiving inappropriate medical care.

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 Article 4525(b)(12), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.11(3),(6)&(7).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 642039, heretofore issued to JOHN O'NEILL, including revocation of Respondent's professional license to practice 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 a 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 privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that the 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-size license issued to JOHN O'NEILL, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must 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 is to be taken in addition to any continuing education requirements the Board may have for relicensure.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The target audience must include registered nurses. The didactic portion of this course must be a

minimum of six (6) hours in length. The course must contain a minimum twenty-four (24) hour clinical component which is to be supervised by another registered nurse. To be approved, the course's content must include a review of proper administration procedures for all standard routes, computation of drug dosages, the five (5) rights of medication administration, factors influencing the choice of route, and adverse effects resulting from improper administration. The description must indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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 is to be taken in addition to any continuing education requirements the Board has for relicensure.

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The target audience must include registered nurses. The didactic portion of this course must be a minimum of six (6) hours in length. The course must contain a minimum twenty-four (24) hour clinical component to be supervised by another registered nurse. To be approved, the course should cover all systems of the body. The course description must indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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 is to be taken in addition

to any continuing education requirements the Board has for relicensure.

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course must be a minimum of six (6) hours in length. In order for the course to be approved, the target audience must include registered nurses. The course must contain content on the following: guidelines and processes for good reporting and recording; legal guidelines for recording; methods of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board has for relicensure.

IT IS FURTHER AGREED, SHOULD RESPONDENT CHOOSE TO PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING, UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT:

(6) RESPONDENT SHALL notify each present employer in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this Order to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this Order to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form, which is provided 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 to the Board's office within five (5) days of employment as a professional nurse.

(8) Should RESPONDENT choose to work in an area of practice other than home health, RESPONDENT SHALL CAUSE each employer to submit, on forms provided by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted to the office of the Board at the end of each three (3) months for one (1) year of employment as a professional nurse.

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.

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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 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.

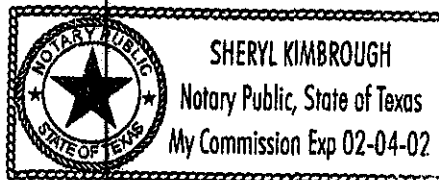
Signed this 19 day of December, 2000.

John B. O'Neill RN
JOHN O'NEILL, Respondent

Sworn to and subscribed before me this 19th day of December, 2000.

SEAL

Sheryl Kimbrough
Notary Public in and for the State of Texas



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 19th day of December, 2000, by JOHN O'NEILL, License Number 642039, and said Order is final.

Effective this 18th day of January, 2001.



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