

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse	§	AGREED
License Number 561497	§	
issued to DAVID JAKE HALLMAN	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of DAVID JAKE HALLMAN, Registered Nurse License Number 561497, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on June 19, 2006, 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 New Mexico Junior College, Hobbs, New Mexico, on May 1, 1986. Respondent was licensed to practice professional nursing in the State of New Mexico on September 3, 1986, and was licensed to practice professional nursing in the State of Texas on August 15, 1990.

5. Respondent's professional nursing employment history includes:

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| 9/86 to 9/90 | RN
Lea Regional Hospital
Hobbs, New Mexico |
| 8/90 to 9/94 | RN, Charge Nurse
Good Sam Nursing Home
Hobbs, New Mexico |
| 10/94 to 3/99 | RN, Charge Nurse
Highland Medical Center
Lubbock, Texas |
| 4/19/99 to 12/6/04 | RN
Covenant Health System
Lubbock, Texas |
| 12/7/04 to Present | Unknown |

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, and had been in this position for three (3) years.
7. On or about April 22, 2002, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent failed to administer InFeD, an iron supplement, to Patient Medical Record Number 100299278 as ordered by the physician. Respondent's conduct was likely to injure the patient in that it resulted in delays in medical treatment.
8. On or about May 17, 2002, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent left oral medications unattended in the room of Patient Medical Record Number 100298938 for the patient to self-administer, and falsely documented that he had administered the medications to the patient. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient from harmful and/or non-efficacious treatment if the patient did not correctly self-administer the medications. In addition, subsequent caregivers would have relied on his documentation while providing further care to the patient.
9. On or about May 16, 2003, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent failed to change the abdominal dressing of Patient Medical Record Number 100220673, a 72-year-old female patient, who had been admitted to the hospital after extensive surgical procedures and having continued abdominal pain while in a skilled nursing facility. Respondent's conduct was likely to injure the patient in that the surgical site was not assessed for possible complications such as infection, and wound care was not performed as ordered, which could result in delayed healing.

10. On or about May 16, 2003, and May 17, 2003, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent left medications, including antibiotics, in the cabinet of the aforementioned Patient Medical Record Number 100220673, and falsely documented that he administered the medications. Respondent's conduct resulted in an inaccurate medical records and was likely to injure the patient from non-efficacious treatment and/or delays in medical treatments. In addition, subsequent caregivers would have relied on his documentation while providing further care to the patient.
11. On or about May 7, 2003, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent falsely documented blood glucose readings for Patient Medical Record Number 100085315, a diabetic patient, in that he did not perform blood glucose testing as ordered. Respondent administered Insulin 2 units at 5:00 p.m. Respondent's conduct resulted in an inaccurate medical record was likely to injure the patient from hyperglycemic or hypoglycemic reactions, which could result in coma or death, due to the administration of insulin based upon undetermined blood glucose levels. In addition, subsequent caregivers would have relied on his documentation while providing further care to the patient.
12. On or about November 3, 2004, and November 4, 2004, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent falsely documented the administration of medications, including corticosteroids, antibiotics, and chemotherapy medications, to Patient Medical Record Number 100053619, in that he did not administer the medications, as ordered. The patient had diagnoses including lung cancer and chronic obstructive pulmonary disease. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient from non-treatment of significant medical problems. In addition, subsequent caregivers would have relied on his documentation while providing further care to the patient.
13. On or about November 4, 2004, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent falsely documented the administration of Calcium Carbonate, a calcium supplement, to Patient Medical Record Number 100024492, in that he did not administer the medication, as ordered. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient from failure to treat an electrolyte imbalance which could result in adverse muscular reactions, including cardiac dysrhythmias. In addition, subsequent caregivers would have relied on his documentation while providing further care to the patient.
14. On or about November 15, 2004, through November 18, 2004, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent falsely documented blood glucose readings for Patient Medical Record Number 822088895, a diabetic patient. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient from undetected hyperglycemic or hypoglycemic reactions, which could result in coma or death. In addition, subsequent caregivers would have relied on his documentation while providing further care to the patient.

15. On or about November 22, 2004, and November 23, 2004, while employed as a Registered Nurse with Covenant Health System, Lubbock, Texas, Respondent falsely documented blood glucose readings for Patient Medical Record Number 100012629, a diabetic patient. Further, Respondent forged the initials of another nurse to appear as if the 2 units of insulin he administered on or about November 22, 2004, had been checked for accuracy by another nurse. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient from undetected hyperglycemic or hypoglycemic reactions, which could result in coma or death, due to the administration of insulin-based undetermined blood glucose levels. In addition, subsequent caregivers would have relied on his documentation while providing further care to the patient.
16. In response to the events of Findings of Fact Seven (7) through Fifteen (15), Respondent states that he had to get his assigned duties completed without any overtime.

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 Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(C) [effective September 28, 2004], 217.12(3)&(20) and 217.12(1)(A),(4)&(6)(A)[effective September 28, 2004].
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 561497, heretofore issued to DAVID JAKE HALLMAN, including revocation of Respondent's license to practice professional 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 REPRIMAND 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 licensure privilege, if any, to practice professional nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, 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-sized license issued to DAVID JAKE HALLMAN, to the office of the Board of Nurse Examiners within ten (10) days from the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall 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 shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(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 only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall 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 possible adverse effects resulting from improper administration. 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. 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 shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) 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 only if the course is not being offered by a pre-approved provider. Home

study courses and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: 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. 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 shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by 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. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(6) RESPONDENT SHALL pay a monetary fine in the amount of one thousand five hundred dollars (\$1,500.00). RESPONDENT SHALL pay this fine within ninety (90) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT 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 AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(7) 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 complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, 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 complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

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

(9) For the first year of employment as a Registered Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse 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). The 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.

(10) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered 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.

(11) 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 professional nursing. These reports shall be completed by the Registered Nurse supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for two (2) years 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 31 day of August, 2006.

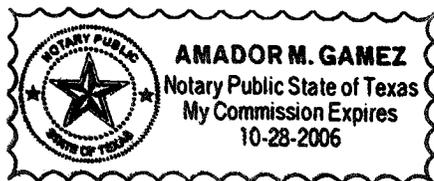
David Jake Hallman
DAVID JAKE HALLMAN, Respondent

Sworn to and subscribed before me this 31 day of August, 2006.

SEAL

Amador M. Gamez

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 31st day of August, 2006 _____, by DAVID JAKE HALLMAN, Registered Nurse License Number 561497, and said Order is final.

Effective this 19th day of October, 2006_____.


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