

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of License Number 618839    §    AGREED  
issued to SONJA LEE-CARRUTHERS       §    ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of SONJA LEE-CARRUTHERS, License Number 618839, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on February 21, 2003, 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 Charles Stewart Mott Community College, Flint, Michigan, on May 1, 1993. Respondent was licensed to practice professional nursing in the State of Texas on June 29, 1995.

Employment history continued:

2/00 - 5/00            Staff Nurse  
                             St. Luke's Episcopal Hospital  
                             Houston, Texas

5/00 - present        Unknown

6. On or about May 31, 2001, Respondent received the sanction of Remedial Education through an Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the May 31, 2001, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
7. Formal Charges were filed on December 17, 2002. A copy of the Formal Charges is attached and incorporated, by reference, as part of this Order.
8. Formal Charges were mailed to Respondent on December 18, 2002.

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)(1), Texas Occupations Code.
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 618839, heretofore issued to SONJA LEE-CARRUTHERS, 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

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.

(4) RESPONDENT SHALL, within six (6) months 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. In order for the course to be approved, the target audience shall include Registered Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours which shall be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of physical assessment only. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. 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.

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.

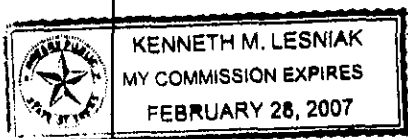
Signed this 28 day of April, 2003.

[Signature]  
SONJA LEE-CARRUTHERS, Respondent

Sworn to and subscribed before me this 28 day of April, 2003.

SEAL

[Signature]  
Notary Public in and for the State of TEXAS



In the Matter of Permanent License § BEFORE THE BOARD  
Number 618839, Issued to § OF NURSE EXAMINERS  
SONJA LEE-CARRUTHERS, Respondent § FOR THE STATE OF TEXAS

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SONJA LEE-CARRUTHERS, is a Registered Nurse holding license number 618839, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

#### CHARGE I.

Respondent, on or about June 1, 2002, was non-compliant with the Agreed Order issued to her on May 31, 2001, by the Board of Nurse Examiners for the State of Texas. Non-compliance is the result of her failure to comply with Stipulation Number Two (2) of the Agreed Order which states, in pertinent part:

(2) Respondent shall, within one (1) year of entry of this Order, successfully complete a course in Nursing Jurisprudence.

A copy of the May 31, 2001, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes a violation of Section 301.452(b)(1), Texas Occupations Code.

#### CHARGE II.

Respondent, on or about June 1, 2002, was non-compliant with the Agreed Order issued to her on May 31, 2001, by the Board of Nurse Examiners for the State of Texas. Non-compliance is the result of her failure to comply with Stipulation Number Three (3) of the Agreed Order which states, in pertinent part:

(3) Respondent shall, within one (1) year of entry of this Order, successfully complete a course in Physical Assessment.

The above action constitutes a violation of Section 301.452(b)(1), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of any recommended disposition of this matter pursuant to the factors stated in the Board's rule regarding penalty/sanction factors, 22 TEX. ADMIN. CODE, Section 213.33. NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as a part of this pleading.

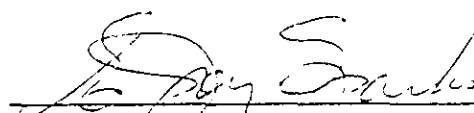
NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Agreed Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated May 31, 2001.

Filed this 17<sup>th</sup> day of December, 2002.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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Attachments: Sections 301.452(b)  
Section 213.33, 22 Texas Administrative Code (repeal and new chapter adopted 06/98,  
change effective 09/01/98. Amended 06/99, effective 07/20/99)  
Agreed Order dated May 31, 2001.

# BOARD OF NURSE EXAMINERS FOR THE STATE OF TEXAS

## §213.33. Penalty/Sanction Factors.

(a) The following factors shall be considered by the executive director when determining whether to dispose of a disciplinary case by fine or by fine and educational stipulation and the amount of such fine. These factors shall be used by the State Office of Administrative Hearings and the Board in determining the appropriate penalty/sanction in disciplinary cases:

(1) evidence of actual or potential harm to patients, clients or the public;

(2) evidence of a lack of truthfulness or trustworthiness;

(3) evidence of misrepresentation(s) of knowledge, education, experience, credentials or skills which would lead a member of the public, an employer, a member of the health-care team, or a patient to rely on the fact(s) misrepresented where such reliance could be unsafe;

(4) evidence of practice history;

(5) evidence of present lack of fitness;

(6) evidence of prior disciplinary history by the Board or any other health care licensing agency in Texas or another jurisdiction;

(7) the length of time the licensee has practiced;

(8) the actual damages, physical or otherwise, resulting from the violation;

(9) the deterrent effect of the penalty imposed;

(10) attempts by the licensee to correct or stop the violation;

(11) any mitigating or aggravating circumstances; and

(12) the extent to which system dynamics in the practice setting contributed to the problem.

(b) Each specific act or instance of conduct may be treated as a separate violation.

(c) Unless otherwise specified, fines shall be payable in full by cashier's check or money order not later than the 45th day following the entry of an Order.

(d) The payment of a fine shall be in addition to the full payment of all applicable fees and satisfaction of all other applicable requirements of the NPA and the Board's rules.

5. Respondent's professional employment history includes:

5/1993-12/1993	Staff Nurse General Surgery Unit	McLaren Regional Medical Center, Flint, Michigan
9/1993-12/1993	Staff Nurse Relief House Supervisor	Carragetown Nursing Home Flint, Michigan
12/1993-3/1994	Weekend Charge Nurse Skilled Nursing Unit	Northwood Place Whitmore Lake, Michigan
3/1994-6/1994	Staff Nurse Post Open Heart Surgery CCU	Lake Charles Memorial Hospital Lake Charles, Louisiana
6/1994-4/1995	Charge Nurse Post Surgical Unit	Walter Moss Hospital Lake Charles, Louisiana
5/1995-6/1996	Assistant Nurse Manager Surgery/Orthopedics Oncology Unit	Lyndon B. Johnson Hospital Houston, Texas
6/1996-9/1996	Staff Educator	Lexington Place Nursing Home Houston, Texas
9/1996-Present	Agency Nurse	DSI, Inc. (Team Staff RN) Houston, Texas
10/1996-Present	Staff Nurse	Sisters of Grace Health Services, Inc. Houston, Texas
1/1997-9/1999	Charge Nurse Oncology- Hematology Unit	Hermann Hospital Houston, Texas
2/2000-5/2000	Staff Nurse	St. Luke's Episcopal Hospital Houston, Texas

6. At the time of the incidents, Respondent was employed as a Charge Nurse in the Oncology-Hematology Unit with Hermann Hospital, Houston, Texas, and had been in this position for six (6) months.



ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a Remedial Education, 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 the State of Texas.

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-size license issued to SONIA MAURINE WILLIAMS, 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

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.

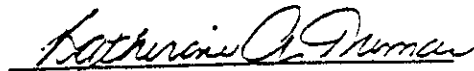
IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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CONTINUED ON NEXT PAGE.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of 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 April, 2001, by SONJA MAURINE WILLIAMS, License Number 618839, and said Order is final.

Effective this 31st day of May, 2001.



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