BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Registered Nurse License Number 537042	§	AGREED
issued to HELEN M. STEIGER	§	ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that HELEN M. STEIGER, hereinafter referred to as Respondent, Registered Nurse License Number 537042, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on November 29, 2005, at the office of the Board of Nurse Examiners, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Mary Beth Thomas, MSN, RN, Director, Nursing Division, Executive Director's Designee; E. Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Candace V. Heisserman, Investigator; Robert Cantu, Investigator; and Randi Cagan, Investigator.

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, notice and hearing, and consented 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 San Jacinto College, Pasadena, Texas, on August 1, 1986. Respondent was licensed to practice professional nursing in the State of Texas on March 18, 1987. Respondent received a Baccalaureate Degree in Nursing from the University of Texas Health Science Center, Houston, Texas, in 1990.

5. Respondent's professional nursing employment history includes:

3/87-3/98	Senior Transplant Coordinator Children's Hospital Houston, Texas
3/98-9/98	Unknown
9/98-2/01	Associate Director-Outpatient Clinic Shriners Burn Hospital Galveston, Texas
2/01-Present	Infusion Specialist Accredo Therapeutics Houston, Texas
2/03-3/04	Infusion Nurse Specialist Trinet and Genezen Healthcare, Inc. Addison, Texas
9/05-Present	Staff Nurse Memorial Hermann Hospital Houston, Texas

6. At the time of the initial incident, Respondent was employed as an Infusion Nurse Specialist with Trinet and Genezen Healthcare, Inc., Addison, Texas, and had been in this position for approximately three (3) months.

7. On or about or about May 10, 2003, while employed with Trinet and Genezen Healthcare, Inc., Addison, Texas, Respondent falsified the medical record of Patient Medical Record Number 1165, in that Respondent documented that she read the results of the patient's Purified Protein Derivative (PPD) Test and that the results were negative. However, Trinet and Genezen Healthcare, Inc., Addison, Texas, was closed on May 10, 2003, and Respondent did not report working on May 10, 2003, on her timesheet. Respondent's conduct was likely to deceive the facility and injure the patient in that subsequent care givers would rely on her documentation to further treat the patient.

8. On or about May 10, 2003, Respondent failed to read Patient Medical Record Number 1165's PPD, who was previously diagnosed with latent tuberculosis, prior to initiating Remicade therapy. As a result, the patient developed a recurrence of latent tuberculosis, which is one of the contraindications of using Remicade, and the clinic had to administered PPDs to all of the patients that were exposed to Patient Medical Record Number 1165 during his infusions. Of the twenty-nine (29) patients that were exposed to Patient Medical Record

Number 1165, two (2) patients tested positive for tuberculosis and were placed on INH therapy. These two (2) patients tested negative prior to the exposure. Respondent's conduct exposed the patients unnecessarily to a risk of harm.

9. On or about March 29, 2004, while employed with Trinet and Genezen Healthcare, Inc., Addison, Texas, Respondent failed to completely and accurately document Patient Medical Record Number 11779's vital signs. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further treat the patient.

10. On or about March 31, 2004, while employed with Trinet and Genezen Healthcare, Inc., Addison, Texas, Respondent falsified the medical record of Patient Medical Record Number 11779, in that Respondent documented the patient's vital signs, which were to have been taken and documented on March 29, 2004, but failed to indicate that her documentation was a late entry. Respondent's conduct was likely to deceive the facility and injure the patient in that subsequent care givers would rely on her documentation to further treat the patient.

11. On or about March 31, 2004, while employed with Trinet and Genezen Healthcare, Inc., Addison, Texas, Respondent increased Patient Medical Record Number 5279's dose of Remicade without a valid physician's order and without prior authorization and/or approval. Respondent's conduct was likely to injure the patient in that the administration of Remicade without a valid physician's order and without prior authorization and/or approval could have resulted in non-efficacious treatment. Respondent claims that it was common practice at this facility to have the physician verbally authorize such procedures while the physician was making clinic visits and that the physician would sign-off on the procedure after reviewing the patient's chart and Respondent's notes at the end of the day.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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(2) and 22 TEX. ADMIN. CODE §217.12(2),(3),(4),(20)&(22).

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 537042, heretofore issued to HELEN M. STEIGER, 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 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 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-sized license issued to HELEN M. STEIGER, 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 Texas nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> 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 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).*

(4) 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).*

(5) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars ($500.00). RESPONDENT SHALL pay this fine within forty-five (45) 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 A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12)

MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A REGISTERED NURSE LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD.

(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 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.

(7) 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.

(8) 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.

(9) 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 who 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 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.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 9th day of January, 2006.

Helen M. Steiger

HELEN M. STEIGER, Respondent

Sworn to and subscribed before me this 9 day of January, 2006.

SEAL

RAMONA NICOLETA HOWELL
MY COMMISSION EXPIRES
April 7, 2009

Ramona N Howell

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 9th day of January, 2006, by HELEN M. STEIGER, Registered Nurse License Number 537042, and said Order is final.

Effective this 14th day of February, 2006.

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