

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 555227 § AGREED
and Vocational Nurse License Number 113012 §
issued to SANDRA S. MUELLER § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 555227 and Vocational Nurse License Number 113012, issued to SANDRA S. MUELLER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the licenses.
2. Respondent waived representation by counsel, 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. Respondent's license to practice vocational nursing is currently in "delinquent" status.
4. Respondent received a Certificate in Vocational Nursing from the Harris School of Nursing, Fort Worth, Texas, on August 6, 1985, and received an Associate Degree in Nursing from Tarrant County Junior College, Fort Worth, Texas, on May 17, 1989. Respondent was licensed to practice vocational nursing in the State of Texas on December 4, 1985, and was licensed to practice professional nursing in the State of Texas on August 25, 1989.
5. Respondent's nursing employment history includes:

12/85 - 8/04

Staff Nurse,
LVN & RN

Cook Children's Hospital
Fort Worth, Texas

Respondent's professional nursing employment history continued:

9/04 - 8/05	Case Manager, RN	United Home Health Fort Worth, Texas
9/05 - 12/05	Staff Nurse, RN	Brownwood Regional Medical Ctr. Brownwood, Texas
1/06 - Unknown	Staff Nurse, RN	Comanche Home Health & Hospice Comanche, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Brownwood Regional Medical Center, Brownwood, Texas, and had been in this position for two (2) months.
7. On or about November 24, 2005, while employed with Brownwood Regional Medical Center, Brownwood, Texas, Respondent failed to reassess and institute nursing interventions for Patient Number F00110185736 who had a blood sugar of 57. The patient was receiving two oral diabetic medications and was on sliding scale Insulin. Subsequently, the physician discontinued one of the patient's oral diabetic medications. Respondent's conduct placed the patient at risk of reoccurring hypoglycemia due to overmedication.
8. On or about November 24, 2005, while employed with Brownwood Regional Medical Center, Brownwood, Texas, Respondent failed to appropriately document her diabetic assessment of the aforementioned Patient Number F00110185736. Respondent performed an accucheck at 05:29, with a result of "57," but documented in the nurse's note that she performed the accucheck at 06:30 and documented on the Medication Administration Record that it was performed at 07:00. Respondent's conduct was misleading to subsequent caregivers, and could have resulted in inappropriate interventions due to inaccurate documentation of the actual time that the accucheck was performed.
9. On or about November 29, 2005, while employed with Brownwood Regional Medical Center, Brownwood, Texas, Respondent failed to institute appropriate nursing interventions and failed to notify the charge nurse and physician in a timely manner that Patient Number F00110142560 was having difficulty maintaining an adequate oxygen level. The patient, who was receiving narcotics after having had surgery, had abnormally low oxygen saturation levels due to over sedation. After the Charge Nurse intervened and assumed care of the patient, she notified the physician of the patient's status and orders were received to administer Narcan to reverse the effects of the narcotic pain medication. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that low oxygen saturation levels can lead to anoxic brain injury and death.

10. On or about November 29, 2005, while employed with Brownwood Regional Medical Center, Brownwood, Texas, Respondent failed to document any of her nursing interventions or assessments of the aforementioned Patient Number F00110142560 in the medical record, as required. Respondent's conduct was likely to injure the patient in that it deprived subsequent caregivers of vital information on which to base further care decisions.
11. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that it was her normal practice to recheck the blood sugar one hour after a low blood sugar intervention, but admits that it is possible that she did not do it. Respondent asserts that the patient did not exhibit any other signs or symptoms of low blood sugar that evening or night. In response to the incidents in Findings of Fact Numbers Nine (9) and Ten (10), Respondent states that when she arrived at the patient's room, a Respiratory Therapist was already in the room and told her that the patient's oxygen saturation was 79%. Respondent states that when the Respiratory Therapist left the room, the patient's oxygen saturation was 85%, and Respondent set the oximeter "to read continuously and wake the patient up." According to Respondent, the patient's oxygen saturation was in the 90's while awake, and that the patient's son assured her that he would keep the patient awake while she left the room to speak with the Charge Nurse. Respondent states that she informed the Charge Nurse that the patient's oxygen saturation level was 79%, and that she and the Charge Nurse both went to the patient's room, and the patient's oxygen saturation level was in the mid 90's. According to Respondent, the Charge Nurse called the physician and received an order for Narcan to be administered if the patient's O2 saturation did not improve. Respondent indicates that the Charge Nurse sent her home after she inquired about documenting in the medical records for the patients that she had already seen. According to Respondent, the Charge Nurse told her, "I don't care what you do, just leave," so Respondent states that she followed those instructions and left the facility.

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 of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A),(1)(B),(1)(D), (1)(M)&(3)(A) and 217.12 (1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 555227 and Vocational Nurse License Number 113012, heretofore issued to SANDRA S. MUELLER, including revocation of Respondent's licenses to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of licenses.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of the licenses will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered License Number 555227 and Vocational License Number 113012, heretofore issued to SANDRA S. MUELLER, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized licenses heretofore issued to SANDRA S. MUELLER, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional or vocational nursing, use the title "registered nurse" or "vocational nurse" or the abbreviation "RN" or "LVN," or wear any insignia identifying herself as a registered nurse or vocational nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a nurse during the period in which the licenses are surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privileges, if any, to practice nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

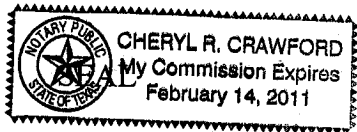
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 18 day of January, 2008.

Sandra S. Mueller

SANDRA S. MUELLER, Respondent

Sworn to and subscribed before me this 18 day of January, 2008.



Cheryl R. Crawford

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 555227 and Vocational Nurse License Number 113012, previously issued to SANDRA S. MUELLER.

Effective this 25th day of January, 2008.

A handwritten signature in cursive script, appearing to read "Kath A. Thomas", is written over a horizontal line.

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