



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 TEXAS BOARD OF NURSING  
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In the Matter of Registered Nurse § AGREED  
License Number 642039 §  
Issued to JOHN O'NEILL § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that JOHN O'NEILL, hereinafter referred to as Respondent, Registered Nurse License Number 642039, may have violated Section 301.452(b)(9)&(10), Texas Occupations Code.

An informal conference was held on December 4, 2007, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of his right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Denise Benbow, MSN, RN, Nurse Consultant; and Noemi Vezina, 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 agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Abilene Christian University, Abilene, Texas, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 1997. Respondent received a Master's Degree in Nursing from Abilene Christian University, Abilene, Texas, on

August 11, 2007. Respondent's authorization as Family Nurse Practitioner (FNP) is currently pending.

5. Respondent's nursing employment history includes:

06/97 - 03/99	RN	Hendrick Medical Center Abilene, Texas
03/99 - 11/01	RN	Windcrest Alzheimer's Care Center Abilene, Texas
11/01 - 01/05	RN	Abilene Regional Medical Center Abilene, Texas
12/04 - 01/05	RN	Outreach Health Services Abilene, Texas
02/05 - 03/05	not employed in nursing	
04/05 - 01/06	RN	West Texas Hospital Abilene, Texas
01/06 - 08/07	RN	Christian Village of Abilene Abilene, Texas
09/07 - 10/07	full-time nursing student	
11/07 - present	RN	Hendrick Medical Center Abilene, Texas

6. On or about January 18, 2001, Respondent was issued a WARNING WITH STIPULATIONS by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law and Order dated January 18, 2001, is attached and incorporated, by reference, as part of this Order.

7. At the time of the initial incident, Respondent was employed as a Registered Nurse with West Texas Hospital, and had been in this position for nine (9) months.

8. On or about January 20, 2006, through January 22, 2006, while employed as a Registered Nurse with West Texas Hospital, Abilene, Texas, Respondent misappropriated six (6) tablets of Hydrocodone from Patient O.H.'s home supply medication, in that he admitted to taking the Hydrocodone because he was running out of his own personal prescription and was experiencing hip pain while at work. Respondent's conduct was likely to defraud Patient O.H. of the cost of the medication.

9. On or about January 20, 2006, through January 22, 2006, while employed as a Registered Nurse with West Texas Hospital, Abilene, Texas, Respondent altered the Controlled Substance Administration Record for Patient O.H. in that he changed the count of Hydrocodone from one hundred five (105) to ninety-nine (99). Respondent's conduct resulted in an inaccurate medical record and was likely to deceive the patient and the facility.
10. On or about January 22, 2006, while employed as a Registered Nurse with West Texas Hospital, Abilene, Texas, Respondent engaged in the intemperate use of Hydromorphone and Hydrocodone in that he produced a specimen for a reasonable suspicion/cause drug screen which resulted positive for Hydromorphone and Hydrocodone. Possession of Hydromorphone and Hydrocodone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Hydromorphone and Hydrocodone by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
11. In response to Findings of Fact Numbers Eight (8), Nine (9) and Ten (10), Respondent states:

"I take hydrocodone per prescription and have for some time. I was running short and took the 6 tablets. Actually, I only took 2 of them, but kept the other 4. I was wrong, and I know it...I generally use it sparingly before bed but on this particular occasion I was running low and I was aching so I took some at work...When I realized that a count sheet had been made I corrected it to reflect 99 instead of 105...."
12. Respondent received a Substance Abuse Assessment, conducted by Doug Irwin, MA, LCDC, AAC, ICADC, which indicated that Respondent meets none of the DSM-IV criteria for either substance abuse or substance dependence.
13. At the time of the incidents, Respondent held a valid prescription for Hydrocodone, Lisinopril and Citalopram, ordered by Brian R. Ganesh, M.D.
14. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
15. Formal Charges were filed on November 2, 2007.
16. Formal Charges were mailed to Respondent on November 14, 2007.

## 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)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(C),(5),(6)(A)(G)(H), (8)&(10)(A)(B)(D)(E)&(11)(B).
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 642039, heretofore issued to JOHN O'NEILL, including revocation of Respondent's license to practice nursing in the State of Texas.
5. The Board may probate the denial of a license or advanced practice authorization under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
6. This Order is conditioned upon the accuracy and completeness of Respondent's disclosures. Any subsequently discovered discrepancies will result in investigation and disciplinary action.
7. Respondent shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.

## ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS, that his application for Prescriptive Authority in the role of Family Nurse Practitioner is hereby DENIED, and that Respondent's application for Board Authorization as a Family Nurse Practitioner is hereby conditionally GRANTED and that Respondent's practice shall be subject to the following conditions:

(1) RESPONDENT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Nurse Education, Licensure and Practice.

(2) 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 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:

(3) RESPONDENT SHALL deliver the wallet-sized license issued to JOHN O'NEILL, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order for appropriate notation.

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and 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. 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, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding Sexual Misconduct, Fraud, Theft and Deception, Nurses with Chemical Dependency, and Lying and Falsification. 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 at the following Board website address: <http://www.bon.state.tx.us/about/stipscourses.html>.*

(5) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing 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:**

(6) RESPONDENT SHALL notify each present employer in 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 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 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 nurse.

(8) Should Respondent choose not to utilize his APN authorization, 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) Should Respondent choose not to utilize his APN authorization, 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 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 two (2) years of employment as a nurse.

(10) Should RESPONDENT choose to work as a FNP, RESPONDENT'S practice of professional nursing will be monitored for two (2) years by a Family Nurse Practitioner or Physician who has been approved by the Board. RESPONDENT must provide a list of three (3) Family Nurse Practitioners or Physicians from which the Board shall select. For the Family Nurse Practitioner / Physician, the list must include the following for each: name, license number or social security number, educational background and professional employment history. Monitoring shall commence no later than thirty (30) days following the date of RESPONDENT's receipt of the name of the monitor selected by the Board. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth in this Order do not reoccur. RESPONDENT SHALL meet with the monitor at least twice a month, at least one (1) hour duration each. RESPONDENT SHALL ensure that the monitor submits reports, addressing RESPONDENT's progress in overcoming these deficiencies to the office of the Board at the end of each three (3) months for the two (2) year stipulation period. Meetings may be longer and more frequent if the monitor determines necessary. Multiple employers are prohibited.

(11) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are**



required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.

(12) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT's place of employment at any time during the stipulation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further

disciplinary action by this Board. Failure to report for a drug screen may be considered the same as a positive result and may result in further disciplinary action by this Board.

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 nursing in the State of Texas.

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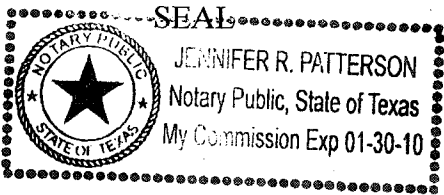
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RESPONDENT'S CERTIFICATION

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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 24 day of January, 2008.  
John O'Neill  
JOHN O'NEILL, Respondent

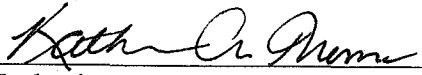
Sworn to and subscribed before me this 24 day of January, 2008.

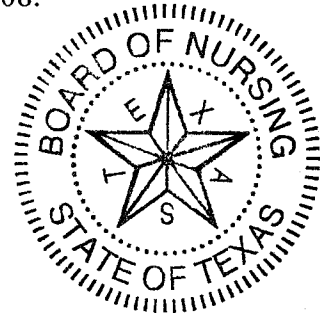


Jennifer R. Patterson  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 24th day of January, 2008, by JOHN O'NEILL, Registered Nurse License Number 642039, and said Order is final.

Effective this 18th day of March, 2008.

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



BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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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.

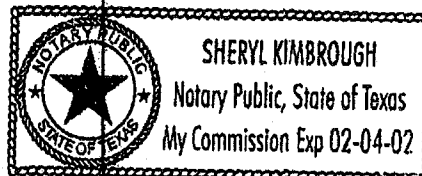
Signed this 19 day of December, 2000.

John P. O'Neill  
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