

--PEER REVIEW COMMITTEE'S REPORT TO BON REPORT FORM

(See instructions on the back of this form before completing. The BON also has a Complaint Form posted on its website and a copy of the form is set out later in this Section.)

Nurse Being Reported (Please provide the following information about the nurse. If unknown, state "unknown".)

1. Name: _____ Lic. # _____
2. Employer: _____
3. Home Address: _____
4. **Incident/Conduct Being Reported** (Describe briefly. Do not use patient's name. Paraphrase committee report.)
Date: _____ Time: _____ Facility/Place: _____ Unit: _____
Incident/Conduct: _____

5. Committee Findings

a. Grounds for Reporting Nurse:

- ___ violates the NPA or a BON rule and contributed to the death or serious injury of a patient;
- ___ causes a person to suspect that the nurse's practice is impaired by chemical dependency or drug or alcohol abuse
- ___ constitutes abuse, exploitation, fraud, or a violation of professional boundaries; or
- ___ indicates that the nurse lacks knowledge, skill, judgment, or conscientiousness to such an extent that the nurse's continued practice of nursing could reasonably be expected to pose a risk of harm to a patient or another person, regardless of whether the conduct consists of a single incident or a pattern of behavior.

Explain specific conduct that constitutes grounds for reporting:

b. Did the committee review factors beyond the nurse's control that may have contributed to the incident? Yes ___ No ___

Were external factors found to be present? Yes ___ No ___

If yes, describe:

c. Is a copy of the committee's findings provided the nurse enclosed? Yes ___ No ___

d. Did the nurse submit a rebuttal statement? Yes ___ No ___

Is a copy of the rebuttal statement enclosed? Yes ___ No ___

Note: It is important that the following information include a detailed description or explanation of the committee's rationale.

6. Recommendations to BON

a. On a separate sheet, please provide the following information:

1. Explain in detail any deficiency in the nurse's knowledge, skill, training or judgment
2. Role of external factors
3. How corrective action was taken to address that deficiency and why it was appropriate
4. Describe evidence that any identified deficiency was in fact corrected or expected to be corrected
5. Whether formal disciplinary action by BON would or would not contribute anything additional to correcting the deficiency.

b. Does Committee recommend BON take disciplinary action against nurse? Yes ___ No ___

7. **Minor Incident** Did the committee find that the nurse's continuing to practice nursing would pose a risk to patients or others? Yes ___ No ___

If no, explain why being reported to BON:

Peer Review has option of not reporting minor incidents to BON provided certain procedures are followed. See BON Rule 217.16.

8. **Chemical Dependency or Mental Illness**

Do you suspect the Nurse's behavior is related to chemical dependency or mental illness? (If so, you may report the nurse to TPAPN. See instructions.)

Dependency _____ Mental Illness _____ Neither _____

9. **Information on Committee Making Report** (Provide the following information about committee making the report.)

Committee Chair: _____ Phone: _____

Facility: _____

Contact Information: _____

I swear that the information provided is true to the best of my knowledge.

Signature

Printed Name:

Title/Position:

Date

INSTRUCTIONS

1. Sec. 301.403 of the Nursing Practice Act requires a nursing peer review committee to make a signed written report to the Board of Nursing reporting a nurse for any of the following conduct except as noted:
 - violates the NPA or a BON rule and contributed to the death or serious injury of a patient;
 - causes a person to suspect that the nurse's practice is impaired by chemical dependency or drug or alcohol abuse;
 - constitutes abuse, exploitation, fraud, or a violation of professional boundaries; or
 - indicates that the nurse lacks knowledge, skill, judgment, or conscientiousness to such an extent that the nurse's continued practice of nursing could reasonably be expected to pose a risk of harm to a patient or another person, regardless of whether the conduct consists of a single incident or a pattern of behavior.Exceptions:
 - employer/facility has already reported nurse to the BON
 - conduct is a minor incident not required to be reported under Rule 217.16
2. Sec. 301.403 requires the committee's report be in writing, signed and include:
 - the identity of the nurse;
 - a description of any corrective action taken against the nurse;
 - a recommendation whether the BON should take formal disciplinary action against the nurse and the basis for the recommendation;
 - a description of the conduct subject to reporting;
 - the extent to which any deficiency in care provided by the reported nurse was the result of a factor beyond the nurse's control; and
 - any additional information the BON requires.

To be assistive to the BON in making its decision as to further action against the nurse, it is important that this information be explained fully and in detail. The report to the board should include the following:

- a. Explain in detail the nurse's deficiency in knowledge, skill or judgment
 - b. How corrective action was taken to address that deficiency and why it was appropriate
 - c. Evidence that the deficiency was in fact corrected
 - d. Why formal disciplinary action by BON would not contribute anything additional to correcting the deficiency.
- The committee should also enclose a copy of the committee's Summary of Detailed Findings report and the nurse's rebuttal statement.

3. The BON has rules relating to Standards of Professional Nursing Practice (Rule 217.11), Unprofessional Conduct (Rule 217.12) and Delegation of Nursing Tasks (Rule 218). These rules provide guidelines for what type of behavior should be reported.
4. Minor Incidents Conduct that is otherwise subject to reporting may not be reportable if it is a minor incident and employer procedures are in place to ensure that the incident does not go undocumented. BON Rule 217.16 further defines what constitutes a minor incident and what procedures must be followed for it not to be reportable to BON.
5. A peer review committee's duty to report is not abrogated because of knowledge that someone else is reporting, or has reported, the incident to the BON. Sec. 301.419 of the Nursing Practice Act authorizes the BON to adopt rules minimizing duplicate reporting, but it has elected to promulgate such rules only for nurses reporting to nursing peer review in lieu of reporting to BON.
6. If the committee suspects the nurse's behavior results from chemical dependency or mental illness, it may report the nurse to the Texas Peer Assistance Program for Nurses in lieu of reporting her or him to the BON if no practice violation is involved.

Texas Peer Assistance Program for Nurses
7600 Burnet Road, Suite 440, Austin, Texas 78757-1292; (800) 288-5528