

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

NGA Creates Task Force on Health Care Reform: The nation's governors have played a major role in expanding access, improving quality and addressing the rising cost of health care through improvements in Medicaid, SCHIP and other state funded programs. Given that health care often is the largest part of a state's budget, governors must effectively administer these programs to identify and connect low-income individuals with insurance coverage. At the same time, they are helping to improve quality of care and build the health information technology infrastructure. Additionally, governors are responsible for regulation of insurance and consumer protection. To continue this critical work, the National Governors Association (NGA) announced the formation of a Health Care Reform Task Force. The Task Force is designed to identify and define gubernatorial priorities and to inform and advise the work of Congress and the Administration. Members of the Task Force include governors from the states of Vermont, Michigan, Pennsylvania, Connecticut, Georgia, Kansas, Massachusetts, Minnesota, North Dakota, Tennessee, Utah and Washington. For more information, see: <http://www.nga.org/portal/site/nga/menuitem.6c9a8a9ebc6ae07eee28aca9501010a0/?vgnextoid=4f026359e02af110VqnVCM1000005e00100aRCRD>

Coalition Targeting Nursing Shortage Will Take Aim at Education, Funding: AARP, the AARP Foundation and the Robert Wood Johnson Foundation have announced the formation of a new coalition that will aim to address the nationwide nursing shortage and emphasize the need to include nurses in a comprehensive health care overhaul. The 20-member coalition, comprised of businesses, consumer organizations and health care providers, will seek funding to bolster nursing education and training, improve job satisfaction and retention, and increase the number of nurses in the work force. At a recent briefing, panelists laid out a legislative agenda intended to result in physician assistants being recognized as covered providers under Medicare, Medicaid and the Federal Workers Compensation Program and allow federal grants to apply to physician assistant programs. For more information, see: http://www.kaisernetwork.org/daily_reports/rep_index.cfm?DR_ID=57212.

UCSF Center for California Health Workforce Studies Assesses the Impact of California's Nurse Staffing Ratios: In 2004, California began requiring that acute-care hospitals maintain certain minimum ratios between nurses and patients, making it the first state in the nation to do so. However, little is known about what effects the staffing ratios have had, either on the hospitals themselves or the quality of care they provide. An issue brief released by the University of California San Francisco (UCSF) Center for California Health Workforce Studies examines how California's nurse staffing regulations affected different types of hospitals in order to probe what strategies were used to meet the ratio requirements; whether the ratios influenced hospitals' financial performance; and what effect they had on improving patient care. The research combined quantitative and qualitative analysis, including interviews with executives and other management staff at 12 acute-care hospitals. The results show that while the legislation has increased the use of registered nurses, the ratios have had no clear impact on the quality measures that are associated with nursing care. The study also found no relationship between the staffing regulations and the overall decline in hospital operating margins that occurred after the law went into effect. For more information, see: <http://www.chcf.org/documents/hospitals/AssessingCANurseStaffingRatios.pdf>.

Nursing Programs Expand to Address Industry Shortage: While many people worry about losing their jobs in this economy, the medical community is concerned about having jobs to spare — the nation is in the midst of a nursing shortage estimated to reach one million nurses by 2016. Nurses graduating from second-degree nursing programs could help fill that gap. A study funded by the Robert Wood Johnson Foundation addresses questions about the differences between traditional baccalaureate nursing students and those pursuing their second degrees. The study found that second-degree programs accelerate their curricula so they can quickly churn out nurses to fill the national shortage. For more information, see: http://www.nyunews.com/news/university/nursing_programs_expand_to_address_industry_shortage-1.1320895.

Amid Nurse Shortage, Hospitals Focus on Retention: A high turnover rate is a major contributor to the nation's growing shortage of nurses. But there are expanding efforts to give new nursing grads better support. Many hospitals are trying to create safety nets with residency training programs. The national nursing shortage could reach 500,000 by 2025, as many nurses retire and the demand for nurses balloons with the aging of baby boomers. Nursing schools have been unable to churn out graduates fast enough to keep up with the demand, which is why hospitals are trying harder to retain them. Medical school grads get on-the-job training during formal residencies ranging from three to seven years. Many newly licensed nurses do not have a similar protected period as they build their skills and get used to a demanding environment. Some hospitals have set up their own programs to help new nurses make the transition. Often, they assign novices to more experienced nurses, whom they shadow for a few weeks or months while they learn the ropes. So more hospitals are investing in longer, more thorough residencies. These can cost roughly \$5,000 per resident. But the cost of recruiting and training a replacement for a nurse who washed out is about \$50,000, personnel experts estimate. For more information, see: <http://abclocal.go.com/wls/story?section=news/health&id=6662395>.

AHRQ Proposes National Emergency Evacuation System: The federal government should provide funding to develop a national system to move and track patients and evacuees in a disaster, according to a new report from the Agency for Healthcare Research and Quality (AHRQ). The proposed system, to be developed in phases, would collect timely information on the location and health status of patients and evacuees as they arrive and depart from different locations. The report estimates it would cost up to \$1.5 million to implement and test an initial system within 21 months, which could be expanded in subsequent phases. For more information, see: <http://vocusgr.vocus.com/VocusGR/Url.aspx?185x5907103x5873063>.

STATE ISSUES

Health Professions Council: HPC's data base project to create a new, common licensure data base for several HPC agencies is moving through the appropriations process. Although it is too early to tell the final outcome, both the House and Senate have approved the project in their appropriations bills. In addition, as recommended in the Business Process Review by the Office of the Governor, members are exploring the sharing of financial services; a committee has been formed to study the matter. If appropriations expand for HPC agencies this year, several agencies will need additional space for FTEs. HPC has been in dialogue with the Texas Facilities Commission in anticipation of this problem.

Fraudulent Nursing Educational Program Update: Informational reports have been provided to Board members since the April 2008 Board meeting regarding the presence of fraudulent nursing educational programs. The Texas Workforce Commission (TWC) has ordered these schools to cease and desist operation and referred the cases to the Office of the Attorney

General (OAG) with the request that the OAG file lawsuits to stop operations of the fraudulent nursing programs.

The Attorney General continues to pursue actions against alleged fraudulent programs including Career Advanced (CATS Group); Esther Medical (EMII); and Vocational Training Educational Center (VTEC). There is no further update at this time. The nursing education consultants continue to provide information to the public regarding the fraudulent programs through our telephone and email responses, and the Board's website.

BOARD ISSUES

BON Bulletin Articles: The April issue of the *Board of Nursing Bulletin* is Part II of a special edition which features part of the history of the Board of Nurse Examiners and the Board of Vocational Nurse Examiners in recognition of the 100th anniversary of the Board. The April issue also contains an article on patient safety.

Board Development: Generally, at each board meeting, a board development session is held. At this Board meeting, Nursing Education staff will present on the Board's education rules.

October Board Meeting: Board members will visit an NCLEX testing site and nurse members will review test items on Thursday afternoon at 4 p.m.

AGENCY ISSUES

Notification to Chief Nursing Officers of Systems Problems Related to Complaints: In 2007, the NPA was amended to add to Section 301.457 Complaint and Investigation a requirement that "If the board determines after investigating a complaint under Subsection (e) that there is reason to believe that a nurse's deficiency in care was the result of a factor beyond the nurse's control, the board shall report that determination to the patient safety committee at the facility where the nurse's deficiency in care occurred, or if the facility does not have a patient safety committee, to the chief nursing officer." To fulfill this requirement, and using the TERCAP tool, staff have merged relevant findings of systems problems into a letter addressed to the CNO of the hospital where the complaint occurred.

Student Criminal Background Checks Grant: The Board received a \$50,000 grant from the National Council of State Boards of Nursing through a federal grant for licensure portability. The purpose of the grant is to aid in a smooth implementation of Criminal Background Checks (CBCs) for student nurses. The grant is subject to audit and its impact will be monitored by NCSBN. All implementation activities and reports must be completed by August 1, 2009 per federal policy for year two funding. In September, the student criminal background check process began on a voluntary basis. Schools of nursing who are interested in having their students screened before enrollment or clinical experiences may chose to participate in the project. It is anticipated at this time that should this program continue, it will require additional funding in the next biennium and such request was incorporated into the Legislative Appropriations Request for the FY 10-11 biennium. The agency received approval from the Legislative Budget Board on December 18, 2008 and the Governor's Office on December 19, 2008 to use the grant money to hire two additional staff for this program. Below is the current status of the school applicants:

LVN - 22 Schools participating
634 submissions since 1/01/09
676 closed since 1/01/09

490 Completed Background Checks from 1/01/09 to 3/31/09
 64 Positive Background Checks still pending from 1/01/09 to 3/31/09

RN - 30 Schools participating
 1165 submissions since 1/01/09
 1279 closed since 1/01/09
 969 Completed Background Checks from 1/01/09 to 3/31/09
 52 Positive Background Checks still pending from 1/01/09 to 3/31/09

Staff:

As I reported at the October Board meeting, I have considered hiring outside counsel to deal with the backlog of cases that are awaiting setting at SOAH. However, given the current state of the economy and the possibility that agencies may be required to reduced the current fiscal year budget, the decision will be postponed until this summer.

Nursing Jurisprudence Examination: The Jurisprudence examination required for initial licensure by Texas Occupations Code Section 301.252, License Application, was implemented in September 2008. Access to the Board's examination is available through the website, <http://www.bon.state.tx.us/olv/je.html> . Those applying for initial licensure by exam or endorsement **after** September 1, 2008 must pass the Jurisprudence Exam in order to be eligible for licensure. The following are statistics for all Jurisprudence exam takers from 01/05/2009 - 04/05/2009 .

Applicant Type	Exam not Completed	Did Not Pass	Passed	Total
LVN-Candidates	34	31	719	784
LVN-Endorsements	15	49	267	331
RN-Candidates	57	9	1884	1950
RN-Endorsements	56	84	1483	1623
Total	162	173	4353	4688

Percentage Passed 92.85%

Percentage Not Passing 3.69%

Percentage of Incomplete Exams 3.46%

Reed Castle, our statistician who is evaluating the first phase of our Jurisprudence Exam (Form 1 and 2 of three forms) has reported that our reliability estimates are very good. Out of 100 test questions, we only needed to change two questions. He indicated that there are very few exams that show such good results this early in the process. The next phase as we have sufficient numbers of test takers is to start using the third form of the exam. At the end of one year of administration of the exam, we will evaluate the total exam and make revisions as needed.

Online Jurisprudence Prep Course: Many nursing educational programs have expressed interest in the BON-NJC program designed to extend access to the prep course for schools of nursing. This program is a *voluntary* option in response to nursing educational programs whose students will be utilizing the BON's prep course. Regular course access, as purchased by individuals on the BON website is three weeks, while the BON-NJC program extends the access period to eight weeks. The cost is dependent on the number of students participating. Faculty of students enrolled in the BON-NJC may access the course without additional cost. Participating educational programs will have the option to renew enrollment in the BON-NJC

program on an annual basis. The BON is pleased to offer this program to schools of nursing, as it meets our shared goal of preparing students to pass the Jurisprudence Exam and gaining experience navigating the board's website to find answers to licensing and practice related questions that will assist students throughout their nursing career. There are currently 11 nursing education programs signed up for this service.

Website: The website has been updated to include revised position statements approved by the Board in January.

Key Meetings and Presentations: I have attended/presented at the following meetings since the last Board meeting:

- *Presentation: Board of Nursing Update*, Texas Consortium of Operating Room Nurses, Austin, January 24, 2009.
- *Presentation: Board of Nursing Update*, Texas Association of Deans and Directors, Austin, January 30, 2009.
- *Conference Call:* Nurse Licensure Compact Administrators Executive Committee, February 2, 2009.
- *Conference Call:* Texas Center for Nursing Workforce Studies, to finalize reports, February 10, 2009.
- *Conference Call:* with Nurse Licensure Compact Administrators (NLCA), February 10, 2009.
- *Meeting:* NCSBN Board of Directors, February 11-13, 2009, Chicago.
- *Hearing:* Senate Finance Committee Budget Hearings, February 20, 2009.
- *Meeting:* Texas Nursing Education Capacity Team Team planning meeting, February 23, 2009, Austin.
- *Conference Call:* NCSBN Executive Officers Networking Group, February 23, 2009.
- *Presentation: Regulatory Changes That You Need to Hear—APRN Consensus document and Model Statute and Rules*, Assembly of School Faculty of the American Association of Nurse Anesthetists Conference, February 26, 2009, Orlando, FL.
- *Meeting:* Nurse Licensure Compact Administrators Meeting, March 1, 2009, Chicago.
- *Meeting:* NCSBN Mid-Year Meeting, March 2-4, 2009, Chicago.
- *Conference Call:* NCSBN Chemical Dependency Program Committee, March 5, 2009.
- *Meeting:* with Texas Nurses Association to discuss bill to study supervised clinical experiences, March 11, 2009, Austin.
- *Meeting:* with Representatives of the Texas Hospital Association and Universal Health Services to discuss proposed legislation regarding licensure of nurses educated in Mexico, March 12, 2009, Austin.
- *Presentation: Greetings from the Board of Nursing*, National Organization of Alternative Programs, April 1, 2009, Austin.

Mark Majek has presented:

- *Presentation:* Nursing School Examination Seminar - Edinburgh, January 26, 2009.
- *Presentation:* Texas Association of Health Care Recruiters - DFW Chapter, February 17, 2009, McKinney, Texas.
- *Presentation:* Texas Association of Health Care Recruiters - Houston Chapter, March 11, 2009, Houston.
- *Presentation:* Texas Nursing School Examination Seminar - Waco, Texas April 17, 2009.

Quarterly Statistics Where Executive Director Closed Cases in Compliance with Board Policy:

Case Resolution Report
December 1, 2008 through February 28, 2009

Type of Action	RN	LVN	Total
No Jurisdiction	4	0	4
No Violation	2	1	3
No Action	374	313	687
Insufficient Evidence	65	19	84
Admonish	9	7	16
Without Prejudice	107	24	131
TPAPN Referrals	109	74	183
EEP Referrals	6	6	12
Totals	676	444	1120

LVN DISCIPLINARY ORDERS

Time frame: January 1, 2009, through March 31, 2009

DISCIPLINARY	
55	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none">2 Failed to disclose a misdemeanor offense on an Application for Licensure by Examination; Failed to disclose a misdemeanor offense on a Texas Online Renewal Document1 Inappropriately directed a Certified Nurse Aide (CNA) to administer two tablets of Norco1 Failed to initiate the HomMed Health Monitoring System for two patients as ordered by the physician3 Signed the Controlled Drugs-Count Record to reflect completion of a narcotic count, than admitted she was unsure she actually conducted a narcotic counts1 Inappropriately suggested to the wife of a patient that the patient's nose should be gently pressed closed in an effort to get the patient to take his pain medication1 Failed to clarify a physician's orders for dietary status, wound care and the administration of insulin2 Provided false and deceptive information on an employment application1 Misrepresented herself as a Certified Adult/Pediatric Sexual Assault Nurse Examiners to patients1 Left nursing assignment for two hours without notifying the appropriate personnel1 Established a nurse-patient relationship which violated professional boundaries1 Failed to disclose criminal history on an Application for Licensure by Examination1 Failed to perform and/or submit documentation of ninety-four scheduled skilled nurse visits1 Disciplinary action taken by another licensing authority1 Violated nurse/client boundaries in that the patient was hired to do house and yard work1 Entered into an agreement with the Office of Inspector General to repay the State 350,000.00 for inappropriate billing to Medicaid1 Referred to a patient as a "stupid ass patient" in the presence of said patient1 Filled out pre-printed prescription forms, checked the types of medications to be refilled, printed the physician's name followed by a forward slash and her signature, exceeding her scope of practice1 Submitted continuing education certificate which had been altered1 Lacked fitness to practice nursing in that he was found sleeping while on duty1 Forged the signature of a physician on certification and re-certification forms for Medicare reimbursement8 Selected to comply with a random criminal background audit which revealed a non disclosed misdemeanor offense on a renewal application1 Photographed the fetus of a patient not assigned to her care then forwarded the picture to coworkers5 Submitted a Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history1 Failed to follow the policy and procedure for wastage of Morphine; Misappropriated Morphine1 Arrested for the felony offense of Aggravated Assault with a Deadly Weapon5 Complied with a random criminal background check, which revealed a non-disclosed criminal history1 Submitted an Online Renewal Document in which false, deceptive, and/or misleading information was given indicating that 20 hours of continuing education had been performed when it had not9 Practiced as a Nurse without a valid license

21	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Disciplinary action taken by another licensing authority 1 Failed to adequately investigate and possibly report alleged physical abuse of a resident 1 Telephonically passed unauthorized prescriptions for medications 1 Erroneously administered the loading dose of Glucose; Attempted to perform a phlebotomy blood draw 1 Administered medications to patients without valid physician's orders 1 Charged with the state jail felony offense of Improper Sexual Activity with a Person in Custody resulting in a deferred sentence 1 Forged the signature of a Patient on Consent for Treatment forms 1 Failed to report possible abuse 1 Resident sustained burns from spilled coffee during lunch, Respondent failed to document the incident 1 Left a two day old infant alone with a student nurse with no adequate training 1 Failed to ensure that a patient was placed into an isolation area 1 Misidentified a patient as the person scheduled for a surgical procedure 1 Failed to report that a RN engaged in sexual conduct with an inmate 1 Failed to administer Kayexalate to a patient who had a critically elevated potassium level 1 Left the building shortly after her shift began and failed to notify her manager 1 Left a three year old special needs child with chronic respiratory problems, unattended once in the bathtub while she obtained a suction machine from another room 1 Failed to accurately assess and document a change in the condition of a resident 1 Failed to maintain patient confidentiality in that medical records for several patients were found in someone else's yard near Respondent's home 1 Failed to initiate appropriate cardiopulmonary resuscitation when the resident was found without a pulse 1 Inappropriately administered thin liquid broth from chicken noodles to a 20 month old patient with a tracheostomy <p><u>1</u> Failed to transfer a patient to the hospital as ordered by the physician</p> <p>21</p>
19	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 1 Submitted a statement of Voluntary Surrender 1 Charged with the state jail felony offense of Tampering with Government Records 1 Communicated false physicians' orders to obtain narcotics; charged with the misdemeanor offense of Possession of a Controlled Substance 1 Intemperate use of Benzodiazepines, Opiates, Propoxyphene, Meperidine, Norpropoxyphene, and Normeperidne; Misappropriation of Demerol 1 Charged with the offenses of Tampering with Government Records x 2, Securing Execution of Document by Deception, and Insurance Fraud 1 Charged with the state jail felony offense of Securing the Execution of a Document by Deception 1 Misappropriated Demerol and Dilaudid; Intemperate use of Hydromorphone and Meperidine 1 Charged with the state jail felony offense of Secure Execution of Document by Deception and the misdemeanor offense of Attempt to Commit an Offense 1 Handled a patient roughly; hitting her with pillows and keeping her awake during the night by clapping and telling her to wake up 1 Intemperate use of Benzodiazepines 1 Lacked fitness to practice safely in that she experienced an exacerbation of major depression and expressed suicidal ideation 1 Intemperate use of Alcohol; Failure to assess and/or document the care of patients 1 Falsified documentation of comprehensive re-certification visits or discharge 2 Submitted a Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history <p><u>4</u> Non compliance with previous Board Order</p> <p>19</p>

TPAPN BOARD ORDER

- 4 Provided false, deceptive, and/or misleading information on a renewal document
- 1 Admitted she was chemically dependent on Xanax and Lortab; intemperate use of Opiates and Benzodiazepines
- 1 Intemperate use of Marijuana; misappropriated Temazepam and Clonazepam
- 1 Charged with the misdemeanor offense of Driving While Intoxicated and past disciplinary action against license
- 1 Diagnosed with Bipolar Disorder; charged with the misdemeanor offense of Driving While Intoxicated
- 1 Intemperate use of Alcohol
- 1 Charged with two counts of Driving While Intoxicated; intemperate use of Amphetamines and Marijuana
- 1 Obtained Hydromet Syrup from various pharmacies through fraudulent written and/or telephonically communicated prescriptions; Lacked fitness to practice;
- 1 Intemperate use of Norco, Propoxyphene, and Soma
- 1 Misappropriated Lortab and Darvocet; Intemperate use of Lortab, Vicodin and Darvocet
- 1 Intemperate use of Amphetamines and Marijuana
- 1 Respondent was suggested that she had bipolar tendencies; sought in-patient treatment in a mental health facility
- 1 Misappropriated Dilaudid; Intemperate use of Cocaine, Codeine and Dilaudid
- 1 Charged with the misdemeanor offenses of Driving While Intoxicated, Issuance of a Bad Check, and Public Intoxication; Verbally abused a Certified Nurse Aide
- 1 Lacked fitness to practice; intemperate use of Cocaine resulting in a positive drug screen; Attempted to misappropriated Phenergan
- 1 Intemperate use of Opiates, specifically Hydrocodone

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: January 1, 2009, through March 31, 2009

342	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Charged with the state jail felony offense of Tampering with Government Records and the misdemeanor offense of Theft by Check 1 Charged with the state jail felony offense of Delivery of a Controlled Substance 1 Charged with the third degree felony offense of Forgery 1 Charged with the misdemeanor offenses of Possession of Marijuana and two counts of Reckless Driving 1 Charged with the misdemeanor offenses of Manufacture/Deliver a Controlled Substance and Terroristic Threat 1 Charged with the state jail felony offense of Fraudulent Use/Possession of Identification 1 Charged with the state jail felony offense of Forgery of a Financial Instrument and the misdemeanor offense of Theft of Property 1 Charged with the misdemeanor offense of Assault Causing Bodily Injury; disclosure of head injury that resulted in memory loss 1 Charged with the misdemeanor offenses of Theft of Property and Theft 1 Charged with the misdemeanor offense of Assault Causing Bodily Injury, Theft by Check, and Failure to a Fugitive from Justice 1 Charged with the felony offense of Misprision of a Felony 1 Charged with the felony offense of Delivery of Marijuana and two counts of the misdemeanor offense of Theft by Check 1 Charged with the seven counts of the misdemeanor offense of Theft by Check 1 Charged with the third degree felony offense of Aggravated Assault 1 Charged with the misdemeanor offense of Possession of Drug Paraphernalia; entered treatment for Alcohol Abuse; diagnosed with Bipolar Disorder 1 Charged with the state jail felony offense of Criminal Mischief and the misdemeanor offense of Assault Causing Bodily Injury 1 Charged with the first degree felony offense of Possession of a Controlled Substance 1 Charged with three counts of the misdemeanor offense of Theft of Property 3 Provided false and deceptive information on an Application for Licensure by Examination by failing to disclose criminal history <p><u>321</u> No Grounds for Denial/Youthful Indiscretion 342</p>
11	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 7 Non disclosure of criminal history 1 Charged with the felony offense of Forgery 1 One count of the class B felony offense of Theft over \$60,000, two counts of the class D felony offense of Forgery over \$1,000, two counts of the class D felony offense of Fraud Use of Credit/Debit Card less than \$1,000, two counts of the class E felony offense of Forgery under \$1,000, one counts of the class E felony offense of Forgery, and four counts of the class E felony offense of Official Misconduct <p><u>2</u> Disciplinary action taken by another licensing authority 11</p>

RN DISCIPLINARY ORDERS

Time frame: January 1, 2009, through March 31, 2009

DISCIPLINARY	
50	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Obtained two nitroglycerin tablets from the facility's emergency stock and administered them to a volunteer 8 Submitted an Application for Licensure by Examination in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Misrepresented herself as a Certified Adult/Pediatric Sexual Assault Nurse Examiners to patients 1 Left nursing assignment for two hours without notifying the appropriate personnel 1 Submitted an Online Renewal Document in which false, deceptive, and/or misleading information was given indicating that 20 hours of continuing education had been performed when it had not 1 Entered into an agreement with the Office of Inspector General to repay the State 350,000.00 for inappropriate billing to Medicaid 1 Failed to perform and/or submit documentation of scheduled skilled nurse visits 1 Misappropriated five tablets of MSIR - Morphine, sixty-five tablets of MSO - Morphine Sulfate, and two bottles of Atropine drops 1 Failed to clarify a physician's orders for dietary status, wound care and the administration of insulin 1 Submitted an Application for Licensure by Endorsement in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Failed to initiate the HomMed Health Monitoring System for two patients as ordered by the physician 1 Lacked fitness to practice nursing in that he was found sleeping while on duty 6 Practiced as a Nurse without a valid license 1 Withdrew Morphine without a physician's order and failed to document the administration; failed to change postoperative dressing as ordered; and failed to remove surgical staples and apply Steri-Strips as ordered 22 Submitted a Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Violated professional boundaries of the nurse/client relationship 1 Used her position as a nurse to encourage a patient to allow her friend to adopt the patient's baby
<u>1</u>	50

REMEDIAL EDUCATION

- 1 Misidentified a patient as the person scheduled for a surgical procedure
- 1 Left a two day old infant alone with a student nurse with no adequate training
- 1 Failed to report possible abuse
- 1 Erroneously administered blood products to the wrong patient
- 1 Inserted a number 14 suction catheter instead of a latex free Foley catheter as ordered
- 1 Involved in 2 medication errors
- 1 Failed to ensure the security of confidential information
- 1 Administered epinephrine intravenously instead of subcutaneously as ordered
- 1 Failed to adequately and accurately assess and evaluate, or document a skin assessment
- 1 Failed to report appropriately after a patient fell resulting in a fractured patella
- 1 Failed to ensure exposure testing of individuals who came in contact with a tuberculosis patient
- 1 Placed tape over the mouth of a resident
- 2 Disciplinary action taken by another licensing authority
- 1 Inappropriately accepted the nursing assignment of Charge Nurse and of orienting a Graduate Vocational Nurse
- 1 Failed to report that a RN engaged in sexual conduct with an inmate
- 1 Submitted a Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history
- 1 Failed to administer 60 mEq of Potassium Chloride as ordered; incorrectly transcribed discharge medications in a medical record
- 1 Administered medications/treatment without physicians' orders
- 1 Failed to ensure that a patient was placed into an isolation area
- 1 Forged the signature of a Patient on Consent for Treatment forms
- 1 Failed to assess and notify the physician of a change in condition of a patient after being notified by the GVN that the patient was experiencing a steady decline in blood pressure and urine output
- 1 Engaged in threatening and offensive behaviors while on duty
- 1 Failed to check the ID bracelet of a confused patient before administering several medications
- 1 Violated nurse/client professional boundaries in that she used her position to forgo the normal adoption procedures
- 1 Failed to submit documentation of scheduled skilled nurse visits
- 1 Failed to timely notify a physician, intervene and/or initiate a code response regarding changes in the condition of a patient
- 1 Failed to follow policy and procedure for the wastage of drugs
- 1 Resident sustained burns from spilled coffee during lunch, Respondent failed to document the incident

TPAPN BOARD ORDER

- 1 Misappropriation of Dilaudid, Ritalin, and Lorazepam; Intemperate use of Cocaine
- 1 Charged with two counts of Driving While Intoxicated; Withdrew Vicodin tabs, Ambien tabs, Fioricet tabs, Morphine Sulfate, Xanax tab, and Norco tabs for patients no longer under her care
- 1 Charged with the misdemeanor offense of Deadly Conduct
- 1 Misappropriation and Intemperate use of Darvocet
- 2 Charged with three counts of Driving While Intoxicated
- 1 Intemperate use of Heroin; Relapsed on Alcohol
- 1 Charged with the offense of Possession of a Controlled Substance/Prescription Schedule V; Entered treatment for chemical dependency
- 1 Charged with two counts of Driving While Intoxicated
- 2 Intemperate use of Alcohol
- 2 Intemperate use of Morphine
- 1 Intemperate use of Methamphetamine
- 1 Misappropriated Vicodin; Intemperate use of Ethyl Glycuronide
- 1 Misappropriation and Intemperate use of Vicodin
- 1 Withdrew narcotics in excess of physician's order; Misappropriation of narcotics
- 1 Entered treatment due to a reliance on prescription pain medication
- 1 Intemperate use of Opiates
- 1 Misappropriated Hydrocodone and Hydromorphone
- 1 Diagnosed with Bipolar Disorder; Charged with Driving While Intoxicated
- 2 Non compliance with previous TPAPN Order
- 1 Disclosure of criminal offenses
- 1 Misappropriation and intemperate use of Hydromorphone; Misappropriated Morphine; Intemperate use of Marijuana
- 1 Intemperate use of Cocaine, Marijuana, Morphine and Dilaudid; Misappropriation of Dilaudid
- 1 Intemperate use of Hydrocodone and Phenobarbital
- 1 Intemperate use of Xanax and Phencyclidine
- 1 Misappropriated Morphine, Demerol and Ativan; Intemperate use of Benzodiazepines, Propoxyphene, Meperidine, Normeperidine, Acetaminophen/Oxycodone/N/APAP, Zolpidem Tartrate and Morphine
- 1 Intemperate use of Fentanyl and Morphine Sulfate
- 1 Misappropriated Demerol, Dilaudid and Morphine; Fell asleep while on duty
- 1 Misappropriated Darvocet and Hydromorphone; Intemperate use of Propoxyphene, Alcohol; Passed fraudulent prescriptions for Hydrocodone, Vicoprofen and Darvocet
- 1 Lacked fitness to practice nursing; Admitted to Alcohol dependence; Entered rehabilitation for depression
- 1 Charged with the misdemeanor offense of Driving While Intoxicated; Misappropriation of Morphine

VOLUNTARY SURRENDER

- 1 Failed to comply with previous order; intemperate use Alcohol on duty
 - 1 Failed to comply with previous order; misappropriated Demerol, Morphine, Hydromorphone, Hydrocodone, Phenergan & Alprazolam; lacked fitness to practice; intemperate use Meperidine, Opiates and Benzodiazepines
 - 1 Convicted Driving Under the Influence 3 counts; Action in another jurisdiction
 - 1 Withdrew Dilaudid and failed to document the administration; failed to follow wastage procedures; Misappropriated Dilaudid; failed to comply with previous order
 - 3 Action in another Jurisdiction
 - 1 Convicted of Credit Card or Debit Card Abuse, Possession of a Controlled Substance in a drug free zone, Burglary of a Building, Evading Arrest/Detention
 - 1 Violated professional boundaries engaged in sexually inappropriate behavior with a nursing student and a patient; arrested for public lewdness reduced to assault
 - 1 Deferred Adjudication for Unlawful Obtaining from a legal registered pharmacist a controlled substance
 - 2 Lacked fitness to practice
 - 1 Deferred Adjudication for Engaging in Organized Criminal Activity; Indicted for Evading Arrest/Detention with Motor Vehicle and Possession of Fraudulent Prescription; withdrew Meperidine, Morphine w/o physician's order; withdrew and misappropriate Meperidine, Morphine and Hydrocodone and failed document the administration and follow wastage procedures
 - 1 Assaulted patient; Lacked the fitness to practice
 - 1 HIPPA violation
 - 1 Withdrew narcotics and failed to document and follow wastage procedures; misappropriated or failed to take precautions to prevent such misappropriation of narcotics
 - 1 Convicted two counts of Theft of Government Property at Lackland Air Force Base; Deferred Adjudication for Fraudulent Possession of a Controlled Substance/Prescription Schedule III/IV; Positive drug screen for alcohol while in TPAPN
- 5 Submitted a statement of Voluntary Surrender

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: January 1, 2009, through March 31, 2009

24	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 5 Disciplinary action taken by another licensing authority 1 Denial of Licensure 1 Entered treatment for Alcohol dependence 1 Charged with the felony offense of Robbery 1 Practiced without a valid nursing license 1 Charged with five counts of the misdemeanor offenses of Theft 10 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement <u>4</u> No Grounds for Denial <p>24</p>
434	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 7 Non disclosure of Criminal History 1 Charged with the state jail felony offense of Manufacturing/Delivery of a Controlled Substance; Misdemeanor offense of Driving While Intoxicated 1 Charged with the felony offense of Possession of a Controlled Substance - Cocaine 1 Charged with the state jail felony offense of Theft of Property 1 Charged with Unlawful Possession/Use of Abusable Glue and Aerosol Paints and the fourth degree felony offense of Attempt to Commit Distribution of a Controlled Substance 1 Charged with the misdemeanor offenses of Possession of Marijuana and Driving While Intoxicated 1 Charged with the third degree felony offense of Possession of a Controlled Substance 1 Charged with two counts of the state jail felony offense of Possession of a Controlled Substance 1 Charged with the misdemeanor offense of Public Intoxication x 4 and Minor in Possession x 2 1 Charged with the state jail felony offense of Bribery 1 Charged with two counts of the misdemeanor offense of Furnish Alcohol to a Minor 1 Charged with Aiding, Abetting and Maintaining a Place for or Using Cocaine Base Crack, Distribution of a Quantity of Cocaine Base "Crack", and Distribution of a Quantity of Cocaine Base "Crack" 1 Charged with the misdemeanor offenses of Theft, Evading Arrest, Driving Under the Influence, and Possession of Marijuana 1 Charged with the second degree felony offense of Kidnaping and Aggravated Assault 1 Charged with the misdemeanor offenses of Public Intoxicated and two counts of Driving While Intoxicated <u>413</u> No Grounds for Denial/Youthful Indiscretion <p>434</p>