



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

In the Matter of Registered Nurse § AGREED
License Number 253968 §
issued to DEBRA L. RADOMSKI § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of DEBRA L. RADOMSKI, Registered Nurse License Number 253968, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 1, 2011, 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(s).
2. Respondent waived informal proceedings, 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 Lamar University, Beaumont, Texas, on December 1, 1980 and received a Masters Degree in Nursing/Gerontological Nurse Practitioner, from The University of Texas, Health Science Center, Houston, Texas, in May 1997. Respondent was licensed to practice professional nursing in the State of Texas on March 20, 1981. Respondent was authorized by the Board to practice as a Gerontological Nurse Practitioner on August 14, 1997 and received prescriptive authority on October 31, 1997.

5. Respondent's nursing employment history includes:

03/81 - 1985	Unknown	
1986 - 1891	Staff Nurse/ House Supervisor	St Mary Hospital Port Arthur, Texas
1991 - 1994	Staff Nurse/ Charge Nurse	Hermann Hospital Houston, Texas
1995	Unknown	
01/96 - 12/96	House Supervisor	Memorial Rehabilitation Hospital Houston, Texas
01/97 - 04/97	ADON/Charge Nurse	The Forum at Memorial Woods Houston, Texas
06/97 - 08/06	Geriatric Nurse Practitioner	Geriatric Associates of America Webster, Texas
08/06 - 10/06	Geriatric Nurse Practitioner	Ambulatory Practice of Dr. Burns Baytown, Texas
2000 - 2006	RN Supervisor	Goose Creek Rehabilitation & Health Care, Baytown, Texas
10/06 - 07/07	Director of Nursing	Goose Creek Rehabilitation & Health Care, Baytown, Texas
07/07 - 11/09	RN Supervisor	Goose Creek Rehabilitation & Health Care, Baytown, Texas
07/08 - 07/10	Supervisor/Immediate Response Call Center	Geriatric Associates of America Houston, Texas
08/10 - Present	Staff Nurse	Patient's Hospital Pasadena, Texas

6. At the time of the incident, Respondent was employed as a Gerontological Nurse Practitioner (GNP) with Geriatric Associates of America, Webster, Texas, and had been in this position for one (1) year and eleven (11) months.

7. On or about June 12, 2010, while employed as a GNP, with Geriatric Associates of America, PA, Houston, Texas, Respondent telephonically communicated unauthorized prescriptions for Valium, Ultram, and Phenergan to Walgreens Pharmacy, for Patient TS. Respondent used the name and DEA number of a physician who she did not collaborate with and who did not authorize the prescriptions. TS was not a patient of the physician or of Respondent's employer. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that use of medications which are not ordered by a physician could result in the patient suffering from adverse reactions. In addition, Respondent's conduct was likely to deceived the pharmacy.
8. In response to Finding of Fact Number Seven (7), Respondent states that in June 2010, she was approached by a friend whose daughter was suffering from depression secondary to her husband filing for divorce. She then telephoned in a prescription for Valium, Ultram and Phenergan to Walgreens Pharmacy without the authority or knowledge of her supervising physician. She recognizes that she made a serious error in judgement and is taking measures now to atone for her mistakes. She recently registered for a course in nursing jurisprudence listed in the Board's website. As a result of the incident, Respondent states that she lost her job and while applying for another position she disclosed the incident which resulted in the job offer being rescinded. She is currently employed as an RN at Patient's Hospital, Pasadena, Texas, and she made full disclosure to them prior to accepting her position.

In addition, Respondent states that she voluntarily and as a self-imposed sanction, ceased using her prescriptive authority in June 2010 and has not been employed as a Family Nurse Practitioner since the incident.

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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A)&(3)(B) and 217.12(1)(A),(4),(10)(B)&(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 253968, heretofore issued to DEBRA L. RADOMSKI, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT hereby VOLUNTARILY SURRENDERS her Prescriptive Authority issued to her by the Board.

IT IS FURTHER AGREED that:

(1) After six (6) months of productive work toward completion of the stipulation period, should RESPONDENT desire the return of her Prescriptive Authority in the State of Texas, RESPONDENT SHALL petition the Board for such authorization by filing a complete application for Prescriptive Authority and submitting such evidence as required by the Board to verify the educational qualifications. The petition shall be evaluated pursuant to criteria outlined in 22 TEX. ADMIN. CODE, Chapters 221 and 222.

(2) 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) 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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; 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/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the

Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://learningext.com/hives/a0f6f3e8a0/summary>.*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A 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 ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) 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.

(5) 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.

(6) For the duration of the stipulation period, 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.

(7) Should RESPONDENT choose to work as a Gerontological Nurse Practitioner, RESPONDENT'S practice of professional nursing will be monitored for one (1) year by a Physician and/or Gerontological Nurse Practitioner who has been approved by the Board. Respondent must provide a list of three (3) Physician's and/or three (3) Gerontological Nurse Practitioners for the Board to select. For the Physician and/or Gerontological Nurse Practitioner, 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 one (1) year stipulation period. Meetings may be longer and more frequent if the monitor determines necessary. Multiple employers are prohibited.

(8) 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) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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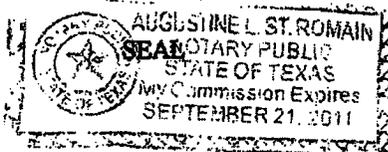
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19 day of May, 2011.

Debra L. Radomski
DEBRA L. RADOMSKI, Respondent

Sworn to and subscribed before me this 19th day of May, 2011.



Augustine L. St. Romain

Notary Public in and for the State of Texas

Approved as to form and substance.

John R. Shepperd
John R. Shepperd, Attorney for Respondent

Signed this 19th day of May, 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 19th day of May, 2011, by DEBRA L. RADOMSKI, Registered Nurse License Number 253968, and said Order is final.

Effective this 14th day of June, 2011.



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