

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 707078 §
issued to MELANIE JEAN EVANS § ORDER



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

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MELANIE JEAN EVANS, Registered Nurse License Number 707078 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1) and (10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered 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 representation by counsel, 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 an Associate Degree in Nursing from Laredo Community College, Laredo, Texas, on May 6, 2004. Respondent was licensed to practice professional nursing in the State of Texas on July 13, 2004.

5. Respondent's professional nursing employment history includes:

7/04 - 2006	Staff Nurse	Laredo Medical Center Laredo, Texas
2006 - Unknown	Field Nurse	Amistad Home Health Laredo, Texas
2006 - 1/2008	School Nurse	Los Obispos Middle School Laredo, Texas
2/2008 - 9/2008	Staff Nurse	Friends Health Care Services, Inc. Laredo, Texas
10/2008 - present	Charge Nurse	Regent Care Center Laredo, Texas

6. On April 17, 2008, Respondent was issued the sanction of a Warning with Stipulations by the Texas Board of Nursing. A copy of the April 17, 2008, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
7. Formal Charges were filed on June 30, 2010. A copy of the Formal Charges is attached and incorporated, by reference, as part of this Order.
8. Formal Charges were mailed to Respondent on July 6, 2010.

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)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(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 707078, heretofore issued to MELANIE JEAN EVANS, 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 REPRIMAND 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 that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of five hundred (\$500.00) dollars. 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.

(2) The Order of the Board issued to RESPONDENT on April 17, 2008, is still in effect in its entirety and RESPONDENT SHALL be responsible for completing the terms of that Order within six (6) months from the date of this Order.

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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, 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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11th day of February, 2011.

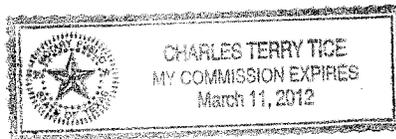
Melanie Evans
MELANIE JEAN EVANS, Respondent

Sworn to and subscribed before me this 11th day of February, 2011.

SEAL

Charles Terry Tice

Notary Public in and for the State of _____



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 11th day of February, 2011, by MELANIE JEAN EVANS, Registered Nurse License Number 707078, and said Order is final.

Effective this 28th day of April, 2011.



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

**In the Matter of Permanent License
Number 707078, Issued to
MELANIE JEAN EVANS, Respondent**

§ **BEFORE THE TEXAS**
§
§ **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MELANIE JEAN EVANS, is a Registered Nurse holding license number 707078, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about April 18, 2009, Respondent failed to comply with the Agreed Order issued to her on April 17, 2008, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Two (2) of the Agreed Order which states, in pertinent part:

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics....

A copy of the April 17, 2008, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE II.

On or about April 18, 2009, Respondent failed to comply with the Agreed Order issued to her on April 17, 2008, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Three (3) of the Agreed Order which states, in pertinent part:

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration....

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE III.

On or about April 18, 2009, Respondent failed to comply with the Agreed Order issued to her on April 17, 2008, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Four (4) of the Agreed Order which states, in pertinent:

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation....

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE IV.

On or about April 18, 2009, Respondent failed to comply with the Agreed Order issued to her on April 17, 2008, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Five (5) of the Agreed Order which states, in pertinent part:

(5) RESPONDENT SHALL, within one (1) year of this Order, successfully complete the course "Sharpening Critical Thinking Skills,"....

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).

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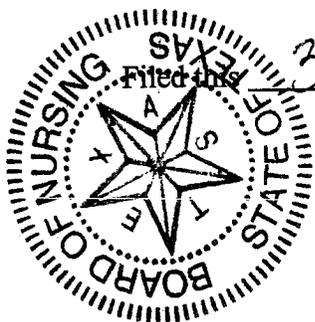
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NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated April 17, 2008.



30th day of June, 2010.

TEXAS BOARD OF NURSING

Nikki Hopkins

James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel

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TEXAS BOARD OF NURSING

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Attachments: Agreed Order dated April 17, 2008.

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number § AGREED
707078 issued to MELANIE JEAN EVANS § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that MELANIE JEAN EVANS, hereinafter referred to as Respondent, Registered Nurse License Number 707078, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on December 18, 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 represented by Edward J. Castillo, Attorney at Law. Respondent appeared in person. In attendance were Mary Beth Thomas, Ph.D., RN, Director, Nursing Division, Executive Director's Designee; E. Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Scott Torres, Investigator; and Elise Dunham, 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 notice and hearing, and consented 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 Laredo Community College, Laredo, Texas on May 6, 2004. Respondent was licensed to practice professional nursing in the State of Texas on July 13, 2004.

5. Respondent's complete professional nursing employment history includes:

7/2004-2006	Staff RN	Laredo Medical Center Laredo, Texas
2006- Unknown	Field RN	Amistad Home Health Laredo, Texas
2006-1/2008	School Nurse	Los Obispos Middle School Laredo, Texas
1/2008-Present	RN	Friends Health Care Services, Inc. Laredo, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Laredo Medical Center, Laredo, Texas, and had been in this position for approximately one (1) year and eleven (11) months.

7. On or about June 15, 2006, through July 3, 2006, while employed with Laredo Medical Center, Laredo, Texas, Respondent withdrew Stadol and Nubain from the Pyxis Medication Dispensing System for patients, but failed to completely and accurately document the administration of medication, in the patients' Medication Administration Records (MARs), Nurses Notes, or both as follows:

Date/ Time	Patient #	Medication	Physician's Order	MAR	Wastage
6/15/06 11:38	5723859	Nubain 10mg	Nubain 10 mg IV slow push 3 with intervals > 2hrs	None	None
6/15/06 12:04	5723826	Nubain 10mg	Nubain 10mg Q 3-4hrs x6	None	None
6/16/06 15:27	5723887	Stadol 2mg	Stadol IV Q 4hrs 2mg x4	None	None
6/16/06 20:18	7789062	Nubain 10mg	Nubain 10mg IV slow pushx3 w/ intervals > 2hrs or 5mg IV Q 30min x3	None	None
6/18/06 10:47	5723950	Stadol 2mg	Stadol IV Q 4hr 2mg x 4	None	None
6/20/06 16:45	7790628	Nubain 10mg	Nubain IVP 10mg IV push slow x 3 w/ intervals > 2hrs	None	None

Date/ Time	Patient #	Medication	Physician's Order	MAR	Wastage
6/22/06 9:17	7787845	Nubain 10mg	Nubain IVP 10mg Q3-4 x 6 or Nubain 5mg IV Q 30min x 2	None	None
6/22/06 9:23	7791021	Stadol 2mg	Stadol IV Q 4hr 2mg x 4	None	None
6/23/06 11:06	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None
6/23/06 11:07	5724069	Nubain 10mg	Nubain 10mg IVP Q 3-4hrs x6 or Nubain 5mg Q 30min x 2	None	None
6/23/06 12:16	7785579	Nubain 10mg	Nubain 10mg IV slow push x 3 w. intervals > 2hrs or 5mg Q 30 mins x3	None	None
6/23/06 13:28	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None
6/23/06 15:42	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None
6/29/06 11:20	7795125	Nubain 10mg	Nubain IVP 10mg Q 3-4 hrs x6 or Nubain 5mg Q 30min X 2	None	None
6/30/06 11:58	7795732	Stadol 2mg	None	None	None
6/30/06 17:30	5724232	Stadol 2mg	None	None	None
7/3/06 9:19	7796672	Stadol 2mg	None	None	None
7/3/06 13:18	7796672	Nubain 10mg	Nubain IV 10mg Q 3-4hrs x 6 or Nubain 5mg IV Q 30min x2	None	None
7/3/06 14:21	7796919	Stadol 2mg	Stadol 1mg IVP q 1-2 hours prn pain	None	None
7/3/06 16:38	7796919	Stadol 2mg	Stadol 1mg IVP q 1-2 hours prn pain	None	None
7/3/06 18:29	7796919	Stadol 2mg	Stadol 1mg IVP q 1-2 hours prn pain	1 mg 18:29	1 mg 18:29
7/3/06 19:12	7796919	Stadol 2mg	None	1 mg 19:12	1mg 19:12

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

8. On or about June 15, 2006, through July 3, 2006, while employed with Laredo Medical Center, Laredo, Texas, Respondent withdrew Stadol and Nubain from the Pyxis Medication Dispensing System for patients, but failed to follow the policy and procedure for the wastage of any unused portions of the medication as follows:

Date/Time	Patient #	Medication	Physician's Order	MAR	Wastage
6/15/06 11:38	5723859	Nubain 10mg	Nubain 10 mg IV slow push 3 with intervals > 2hrs	None	None
6/15/06 12:04	5723826	Nubain 10mg	Nubain 10mg Q 3-4hrs x6	None	None
6/16/06 15:27	5723887	Stadol 2mg	Stadol IV Q 4hrs 2mg x4	None	None
6/16/06 20:18	7789062	Nubain 10mg	Nubain 10mg IV slow pushx3 w/ intervals > 2hrs or 5mg IV Q 30min x3	None	None
6/18/06 10:47	5723950	Stadol 2mg	Stadol IV Q 4hr 2mg x 4	None	None
6/20/06 16:45	7790628	Nubain 10mg	Nubain IVP 10mg IV push slow x 3 w/ intervals > 2hrs	None	None
6/22/06 9:17	7787845	Nubain 10mg	Nubain IVP 10mg Q3-4 x 6 or Nubain 5mg IV Q 30min x 2	None	None
6/22/06 9:23	7791021	Stadol 2mg	Stadol IV Q 4hr 2mg x 4	None	None
6/23/06 11:06	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None
6/23/06 11:07	5724069	Nubain 10mg	Nubain 10mg IVP Q 3-4hrs x6 or Nubain 5mg Q 30min x 2	None	None
6/23/06 12:16	7785579	Nubain 10mg	Nubain 10mg IV slow push x 3 w. intervals > 2hrs or 5mg Q 30 mins x3	None	None
6/23/06 3:28	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None
6/23/06 15:42	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None

Date/Time	Patient #	Medication	Physician's Order	MAR	Wastage
6/29/06 11:20	7795125	Nubain 10mg	Nubain IVP 10mg Q 3-4 hrs x6 or Nubain 5mg Q 30min X 2	None	None
6/30/06 11:58	7795732	Stadol 2mg	None	None	None
6/30/06 17:30	5724232	Stadol 2mg	None	None	None
7/3/06 9:19	7796672	Stadol 2mg	None	None	None
7/3/06 13:18	7796672	Nubain 10mg	Nubain IV 10mg Q 3-4hrs x 6 or Nubain 5mg IV Q 30min x2	None	None
7/3/06 14:21	7796919	Stadol 2mg	Stadol 1mg IVP q 1-2 hours prn pain	None	None
7/3/06 16:38	7796919	Stadol 2mg	Stadol 1mg IVP q 1-2 hours prn pain	None	None

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act) and Chapter 483 of the Texas Health and Safety Code (Dangerous Drug Act).

9. On or about June 30, 2006 and July 3, 2006, while employed with Laredo Medical Center, Laredo, Texas, Respondent withdrew Stadol from the Pyxis Medication Dispensing System for patients without valid physician's orders, as follows:

Date/Time	Patient #	Medication	Physician's Order	MAR	Wastage
6/30/06 11:58	7795732	Stadol 2mg	None	None	None
6/30/06 17:30	5724232	Stadol 2mg	None	None	None
7/3/06 9:19	7796672	Stadol 2mg	None	None	None
7/3/06 19:12	7796919	Stadol 2mg	None	1 mg 19:12	1mg 19:12

Respondent's conduct was likely to injure the patients in that the administration of Stadol without a valid physician's order could result in the patient suffering from adverse reactions.

10. On or about June 23, 2006, and July 3, 2006, while employed with Laredo Medical Center, Laredo, Texas, Respondent withdrew and /or administered Stadol to Patient Numbers 7792193 and 7796919 in excess frequency and/or dosage of the physician's order as follows:

Date/ Time	Patient #	Medication	Physician's Order	MAR	Wastage
6/23/06 9:56	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	1 mg 9:56	1mg 9:56
6/23/06 11:06	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None
6/23/06 13:28	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None
6/23/06 15:42	7792193	Stadol 2mg	Stadol 1mg IVP Q 2hrs prn pain	None	None
7/3/06 18.29	7796919	Stadol 2mg	Stadol 1mg IVP q 1-2 hours prn pain	1mg 18:29	1mg 18:29
7/3/06 19:12	7796919	Stadol 2mg	Stadol 1mg IVP q 1-2 hours prn pain	1mg 19:12	1mg 19:12

Respondent's conduct was likely to injure the patient in that the administration of Stadol in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.

11. Respondent states she was under a lot of pressure and stress during the time of the charting/documentation errors. She was burned out and mentally exhausted partly because the staffing was always so overwhelming. Respondent states she didn't need a witness for wasting the medication described and wasted them in the patient's room, telling herself she would go back and waste them in the computer when she had the time.
12. Formal Charges were filed on December 7, 2007.
13. Formal Charges were mailed to Respondent on December 11, 2007.
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.

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CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(B)(C)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)(B),(4),(10)(B)(C)&(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 707078, heretofore issued to MELANIE JEAN EVANS, including revocation of Respondent's license to practice professional 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, 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 professional 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 Texas Board of Nursing 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-sized license issued to MELANIE JEAN EVANS, to the office of the Texas Board of Nursing within ten (10) days of the date of this Order.

(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) 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>.*

(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 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall 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 possible adverse effects resulting from improper administration. The course description shall 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 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>.*

(4) 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 only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall

include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes 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 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, 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://www.learningext.com/products/generalce/critical/ctabout.asp>.

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 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 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 continue to work at Friends Health Care Services, Inc, Laredo, Texas, RESPONDENT'S practice of nursing will be monitored for one (1) year by a licensed Registered Nurse Consultant proficient in the area of home health nursing approved by the Board. RESPONDENT SHALL only administer insulin injections and forteo injections to patients.

Within ten (10) days of this Order being effective, RESPONDENT SHALL provide the name, RN license number, educational experience and work experience of her current supervisor, who will serve as Respondent's Consultant. 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 must identify and document individualized goals and objectives, resources to be utilized, and the methods to be used to determine successful completion of the monitoring period relative to the violations identified in this Order. RESPONDENT SHALL meet with the monitor at least twice a month, for a minimum of one (1) hour each session. RESPONDENT SHALL ensure that the monitor submits reports addressing Respondent's progress toward achievement of the identified monitoring goals and objectives 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. If either improvement of documentation and/or physical assessment skills is a goal or objective of the monitoring, RESPONDENT SHALL perform assessments on and document assessment findings for live patients. Performing assessments on and documenting findings for mock patients or mannequins WILL NOT be accepted. Multiple employers are prohibited.

(9) Should Respondent's employment as a registered nurse at Friends Health Care Services, Inc., Laredo, Texas, cease, RESPONDENT SHALL comply with the clinical setting requirements of this Order as stated in the bold paragraph. 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.

(10) Should Respondent's employment as a registered nurse at Friends Health Care Services, Inc., Laredo, Texas, cease, 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 one (1) year of employment as a nurse.

(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 (6) 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 (3) month period, random screens shall be performed at least once per month.

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 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 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.

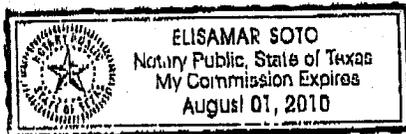
Signed this 18 day of March, 2008.

MELANIE JEAN EVANS RN
MELANIE JEAN EVANS, Respondent

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

SEAL.

Elisamar Soto
Notary Public in and for the State of Texas



Approved as to form and substance.
[Signature]

EDUARDO CASTILLO, Attorney for Respondent

Signed this 18 day of March, 2008

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 18th day of March, 2008, by MELANIE JEAN EVANS, Registered Nurse License Number 707078, and said Order is final.

Effective this 17th day of April, 2008.



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