IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 126821	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
Ernie Cornelia Douglas	§	BOARD OF NURSING

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.
Executive Director of the Board

ORDER OF THE BOARD

TO: Ernie Cornelia Douglas
3773 Timberglen Rd #1106
Dallas, Texas 75287

During open meeting held in Austin, Texas, on March 8, 2011, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 126821, previously issued to Ernie Cornelia Douglas, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 8th day of March, 2011.

TEXAS BOARD OF NURSING

BY: Katherine A. Thomas

KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed on January 14, 2011.

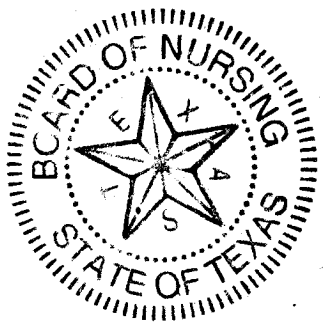
Re: Permanent Certificate Number 126821
Issued to Ernie Cornelia Douglas
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of March, 2011, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Ernie Cornelia Douglas
3773 Timberglen Rd #1106
Dallas, Texas 75287

BY: _____
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.state.tx.us

Katherine A. Thomas, MN, RN
Executive Director

January 20, 2011

Certified Mail No. 91 7108 2133 3934 2618 1655
Return Receipt Requested

Ernie Cornelia Douglas
3773 Timberglen Rd #1106
Dallas, Texas 75287

Dear Ms. Douglas:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code. Within three weeks of the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Please send your written answer to the attention of Barbara Darling, Administrative Assistant III. You may obtain legal counsel at your own expense.

FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.

Please be advised that should you fail to file a written answer, the case will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license(s) and/or nurse licensure compact privilege(s) to practice nursing in the State of Texas.

The results of any default order or formal disposition (Board Order) are public information. Results of informal and formal dispositions will appear in the Board's newsletter under the heading of "Disciplinary Action."

Should you desire to discuss this matter, you may contact Barbara Darling, Administrative Assistant III, Enforcement Division, at the above address, or at (512) 305-6877.

Sincerely,

Katherine A. Thomas, MN, RN
Executive Director

KAT/bd/

Enclosure: Formal Charges

09/99-DA

Members of the Board

Linda Rounds, PhD, FNP, RN
Galveston, *President*

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 126821, Issued to	§	
ERNIE CORNELIA DOUGLAS, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ERNIE CORNELIA DOUGLAS, is a Vocational Nurse holding license number 126821, 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 June 5, 1995, Respondent defaulted on a Texas Guaranteed Student Loan. Respondent's conduct may have deprived other students of funds necessary for their educational programs.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4528c, sec. 10(a)(9)(effective September 1, 1993), and is a violation of 22 TEX. ADMIN. CODE §239.11(25)(effective September 1, 1993).

CHARGE II.

On or about February 11, 2005, Respondent entered a plea of Guilty to DRIVING WHILE LICENSE SUSPENDED (a Misdemeanor offense committed on June 6, 2004), in the County Court at Law No. 5 of Collin County, Texas, under Cause No. 005-83767-04. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of six (6) months. Additionally, Respondent was ordered to pay a fine and court costs.

On or about March 10, 2009, Respondent was adjudged Guilty of DRIVING WHILE LICENSE SUSPENDED (a Misdemeanor offense committed on June 6, 2004), in the County Court at Law No. 5 of Collin County, Texas, under Cause No. 005-83767-04. As a result of the conviction, Respondent was sentenced to confinement in the Collin County Jail for a period of eight (8) days. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)(effective September 1, 2003), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

CHARGE III.

On or about May 26, 2005, Respondent submitted an Online Renewal Document for Licensed Vocational Nurse to the Board of Nurse Examiners for the State of Texas, in which she provided false, deceptive, and/or misleading information, in which she answered "No" to the question:

"Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's must be reported and are not considered minor traffic violations. (One time minor in possession {MIP} or minor in consumption {MIC} do not need to be disclosed, therefore, you may answer "No". If you have two or more MIP's or MIC's, you must answer "Yes".)"

Respondent failed to disclose, that on or about February 11, 2005, Respondent entered a plea of Guilty to DRIVING WHILE LICENSE SUSPENDED (a Misdemeanor offense committed on June 6, 2004), in the County Court at Law No. 5 of Collin County, Texas, under Cause No. 005-83767-04. As a result, the proceedings against Respondent was deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of six (6) months. Additionally, Respondent was ordered to pay a restitution, along with a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10)(effective September 1, 2003), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I).

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 to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses for Lying and Falsification, which 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 Orders which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated September 9, 2003.

Filed this 14th day of January, 2011.

TEXAS BOARD OF NURSING

R. Kyle Hensley

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
State Bar No. 24036103
Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated September 9, 2003.

0999/D

BOARD OF VOCATIONAL NURSE EXAMINERS	*	STATE OF TEXAS
VS.	*	
ERNIE CORNELIA MURPHY	*	COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 126821 held by ERNIE CORNELIA MURPHY, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the Board's opinion, is likely to deceive, defraud, or injure the public, in violation of Texas Occupations Code, Chapter 302, Section 302.402 (a) (10), in the following manner:

I.

a. Respondent was employed as a licensed vocational nurse with IHS Hospital at Plano, in Plano, Texas, from about January 4, 2000 to about October 16, 2001.

b. While so employed at said facility, from about March 31, 2001 to about October 4, 2001, Respondent was responsible for discrepancies in the administration and documentation of medications that concerned patients assigned to said facility, to-wit:

On or about March 31, 2001, Respondent documented that she had started a tube feeding for patient RP with Resource DM at a rate of 50cc/hr. It was later discovered that Respondent had hung Fiber Source formula for said tube feeding versus Resource DM.

On or about May 9, 2001, Respondent failed to follow a physician's order to administer Vancomycin 1gm IVPB to patient MK.

On or about June 11, 2001, Respondent failed to document that she had administered Neurontin 600mg to patient DW.

On or about October 4, 2001, Respondent documented that she had administered nine (9) units of Novolin Reg Insulin to patient JH. It was later learned that said Insulin had not been administered to patient JH, but that instead, said Insulin had been placed in a syringe, in the drawer of a medication cart.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above-mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Respondent does hereby waive the right to a formal Complaint, Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

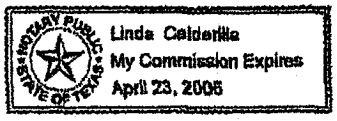
ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, subject to ratification by the Board of Vocational Nurse Examiners that license number 126821, heretofore issued to ERNIE CORNELIA MURPHY to practice vocational nursing in the State of Texas be, and the same is hereby **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent shall successfully complete nursing program course(s) encompassing the following areas of study: **Legal Aspects of Nursing** (to include Charting, & Documentation), and submit documentation of successful course completion to the Board office within the first six (6) months of the Board's ratification of this Order. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to committing to said course(s). Said course(s) shall be through correspondence (through a recognized provider), in-house at a community college, university or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent. Failure to successfully complete said course(s) within the time frame stipulated, shall be considered a violation of this Order.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 16th day of August, 2003.



Ernie Murphy
Signature of Respondent

Linda Calderilla
08-16-03

_____
Current Address

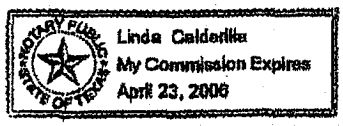
_____
City, State and Zip

_____ / _____
Area Code and Telephone Number

The State of Texas
County of Collin

Before me, the undersigned authority, on this day personally appeared ERNIE CORNELIA MURPHY, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 16th day of August, 2003.



Linda Calderilla
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Terrie L. Hairston, R.N., C.H.E.,
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 2nd day of September, 2003.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 16th day of August, 2003 by Respondent, license number 126821 and that Said Order is Final.

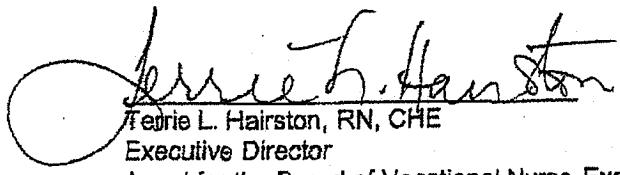
Effective this 9th day of September, 2003

Terrie L. Hairston, RN, CHE
Executive Director
On Behalf of Said Board

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of September, 2003, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

ERNIE CORNELIA MURPHY
409 ROSE DR
ALLEN, TX 75002



Terrie L. Hairston, RN, CHE
Executive Director
Agent for the Board of Vocational Nurse Examiners