



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 License Number 534874	§	AGREED
& Vocational Nurse License Number 80284	§	
issued to MARY E. TAYLOR	§	ORDER
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARY E. TAYLOR, Registered Nurse License Number 534874 and Vocational Nurse License Number 80284, 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 September 10, 2010, 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. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.
4. Respondent received a Certificate in Practical Nursing from Rochester School of Practical Nursing, Rochester, New York, on December 23, 1977, and received an Associate Degree in Nursing from Angelina College, Lufkin, Texas, on May 1, 1986. Respondent was licensed to practice vocational nursing in the State of Texas on April 11, 1979, and was licensed to practice professional nursing in the State of Texas on August 22, 1986.

5. Respondent's nursing employment history includes:

4/79 - 8/1986	LVN	Woodland Heights Medical Center Lufkin, Texas
8/1986 - 4/1998	RN	Woodland Heights Medical Center Lufkin, Texas
5/1998	Unknown	
6/1998 - 8/1999	RN	Woodland Heights Medical Center Lufkin, Texas
4/1999 - 9/1999	RN	Texas Home Health Lufkin, Texas
10/1999 - 5/2004	Unknown	
6/2004 - 6/2009	RN Labor & Delivery	Nacogdoches Memorial Hospital Nacogdoches, Texas
7/2009 - Present	Staff Nurse	Woodland Heights Medical Center Lufkin, Texas
5/2009 - Present	Staff Nurse	Lufkin Memorial Hospital Lufkin, Texas

6. At the time of the initial incident, Respondent was employed as a RN with Nacogdoches Memorial Hospital, Nacogdoches, Texas, and had been in this position for four (4) years and eleven (11) months.
7. On or about May 21, 2009, through May 23, 2009, while employed in the Labor and Delivery Unit with Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent was found sleeping while on duty: once in the nursery holding and feeding a baby; once in Room 214; and, another time at the nursing station. Respondent's conduct was likely to injure patients in that the Respondent was asleep and could have resulted in the patients not getting the care that they needed.
8. On or about April 10, 2009, through April 30, 2009, while employed in the Labor and Delivery Unit with Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent withdrew narcotics for patients that were not on Respondent's assigned unit and failed to accurately document the administration in the patient's medical records. 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.

9. On or about June 22, 2009, through June 23, 2009, while employed in the Labor and Delivery Unit with Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent failed to accurately interpret and document the fetal/maternal heart monitor tracings of Patient Number 10408-77. Respondent misinterpreted the tracings as the maternal heart rate, when in fact it was the fetal heart rate, and she inaccurately documented "maternal" across the tracing.
10. On or about June 23, 2009, while employed in the Labor and Delivery Unit with Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent administered Phenergan and Vistaril to the aforementioned Patient Number 10408-77 but failed to assess the effectiveness of the medications after they had been administered. The patient was later found incoherent and unable to follow commands, with the baby already delivered in the patient's bed. The baby was without respirations and cold, requiring Narcan to resuscitate. Additionally, Respondent inaccurately documented an Apgar rating for the newborn despite not being present at the time of delivery to assess the newborn. Respondent's conduct may have contributed to the unwitnessed delivery and was likely to injure the patient and the newborn from undetected complications, including possible demise.
11. In response to the incident in Finding of Fact Numbers Seven (7) through Ten (10), Respondent admits to sleeping on the job briefly but states she didn't have a patient assignment. Respondent states since this occurred she has not fallen asleep on the job. Regarding the narcotics, Respondent admits to medicating patients that were not on her assigned unit because they were in the process of being transferred from her unit to another unit. Respondent regrets she did not document her actions on the Medication Administration Record. Regarding Patient Number 10408-77, Respondent maintains that the tracings were "maternal." Respondent states she medicated the patient with Vistaril for sedation based on the physician's orders because there had not been a noticeable change in her condition. Respondent states the patient had a precipitous birth as noted in the chart. Respondent states the infant had respirations, shallow, but nonetheless, respirations when found delivered in the mother's bed. Respondent based the Apgar scores based on her experience and knowledge in obstetrics.

#### 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),(1)(B),(1)(C),(1)(D), (1)(M)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 534874 and Vocational Nurse License Number 80284, heretofore issued to MARY E. TAYLOR, 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, 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>.

(2) 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/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>.*

(4) RESPONDENT SHALL within one (1) year of entry of this Order, successfully complete a course in "Intermediate Fetal Monitoring." The course must be of at least 15 contact hours in duration and must be approved by the Association of Women's Health, Obstetric and Neonatal Nurses (AWHONN). 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.

**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 TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). 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(s). 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.

(6) 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.

(7) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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 with the exception of current employment with Woodland Heights Medical Center, Lufkin, Texas and current employment with Lufkin Memorial Hospital, Lufkin, Texas through Advanced Temps, Lufkin, Texas.

(8) For the remainder 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. Multiple employers are prohibited with the exception of current employment with Woodland Heights Medical Center, Lufkin, Texas and employment with Lufkin Memorial Hospital, Lufkin, Texas, through Advanced Temps, Lufkin, Texas.

(9) 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 two (2) years 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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

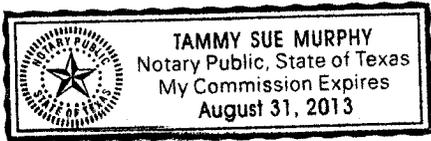
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 12<sup>th</sup> day of January, 20 11.

Mary E. Taylor  
MARY E. TAYLOR, Respondent

Sworn to and subscribed before me this 12<sup>th</sup> day of January, 20 11.

SEAL



Tammy Sue Murphy

Notary Public in and for the State of Texas

Approved as to form and substance.

Patricia Blair  
Patricia Blair, Attorney for Respondent

Signed this 12<sup>th</sup> day of January, 20 11.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 12th day of January, 2011, by MARY E. TAYLOR, Registered Nurse License Number 534874 and Vocational Nurse License Number 80284, and said Order is final.

Effective this 8th day of February, 2011.



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

