



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

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In the Matter of Registered Nurse § AGREED  
License Number 583741 §  
issued to JAMES MICHAEL MURPHY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of JAMES MICHAEL MURPHY, Registered Nurse License Number 583741, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on October 18, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

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 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 El Paso Community College, El Paso, Texas, on May 1, 1992, and a Baccalaureate Degree in Nursing from the University of Texas at El Paso, El Paso, Texas in May, 2001. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1992.
- 5. Respondent's nursing employment history includes:

5/1992 - 8/2001	GN/RN Staff Nurse/ Manager	Columbia Medical Center, East HCA El Paso, Texas
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Respondent's nursing employment history continued:

8/2001 - 7/2004	Staff Nurse/ COO/ Administrative Director	Brownsville Medical Center Brownsville, Texas
7/2004 - 7/2006	Chief Operations Officer	RHD Memorial Medical Center Dallas, Texas
7/2006 - 3/2008	Chief Executive Officer Chief Nursing Officer	Plaza Specialty Hospital Houston, Texas
3/2008 - Present	Chief Nursing Officer	Centennial Medical Center Frisco, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Chief Nursing Officer with Centennial Medical Center, Frisco, Texas, and had been in this position for ten (10) months.
7. On or about January 26, 2009, while employed as a Chief Nursing Officer, with Centennial Medical Center, Frisco, Texas, Respondent failed to adequately provide supervision to Emergency Department nursing staff, who inappropriately attempted to draw blood from a three month old Patient, MR#02078996, without using gloves. Respondent's conduct failed to promote a safe environment and may have unnecessarily exposed staff and patients to risk of harm from infectious pathogens.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states he is administratively responsible for the nursing staff but that it is physically impossible to supervise each nurse at the hospital. Respondent states he oversees the provision of nursing services, including ensuring that adequate policies and procedures are in place and that the nurse was given a copy of the hospital policy and was reminded to always use gloves.
9. On or about February 9, 1988, Respondent was convicted of Disorderly Conduct, a misdemeanor, by the El Paso County Court, El Paso, in Case Number #87091993-0, El Paso, Texas.
10. On or about May 8, 1992, Respondent falsely answered, "No," to question number ten (10), "Have you ever been convicted of a crime other than a minor traffic violation?" on the Board of Nurse Examiners For the State of Texas Registration by Examination form. Respondent's conduct was deceiving and may have affected the Board's decision to grant Respondent a Texas Registered Nurse License.

11. In Response to the incident in Finding of Fact Number Nine (9), and Finding of Fact Number Ten (10), Respondent states he was arrested, but he never went to court, and his attorney gave him a citation, told him to pay a fine, and stated that after two (2) years the offense would be expunged.
12. On or about January 10, 2010, Respondent falsely answered, "No," to question number five (5), "Are you currently the target or subject of a grand jury or governmental agency investigation?" on his Registered Nurse Texas Board of Nursing-Online Renewal Document. Respondent's conduct deceiving and may have affected the Board decision to renew Respondent's Texas Registered Nurse license.
13. Respondent states he did not make the connection with the Board of Nursing being a governmental agency, and states he was thinking of the judicial system, and it was a misunderstanding.

#### 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)(B)&(1)(U) and 22 TEX. ADMIN. CODE §217.12(1)(B)&(2).
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 583741, heretofore issued to JAMES MICHAEL MURPHY, including revocation of Respondent's license to practice nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, 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 is 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 State of Texas 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

(2) RESPONDENT SHALL, within one (1) year of entry of this Order  
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>.

(3) ) RESPONDENT SHALL pay a monetary fine in the amount of two hundred  
fifty (\$250)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.

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.

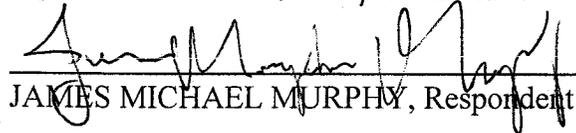
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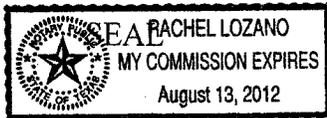
RESPONDENT'S CERTIFICATION

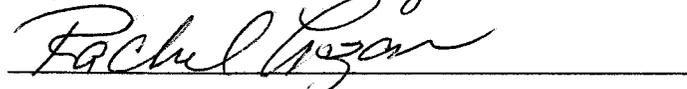
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, 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 14 day of Feb, 2011.

  
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JAMES MICHAEL MURPHY, Respondent

Sworn to and subscribed before me this 14 day of February, 2011.



  
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Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 14th day of February, 2011, by JAMES MICHAEL MURPHY, Registered Nurse License Number 583741, and said Order is final.



Effective this 16th day of February, 2011.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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



## Texas Board of Nursing

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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*

February 16, 2011

Centennial Medical Center  
Chief Nursing Officer  
12505 Lebanon Road  
Frisco, Texas 75035

RE: James Michael Murphy, RN

Dear Chief Nursing Officer:

Pursuant to Section 301.469, Texas Occupations Code, we are providing you with a copy of the Order of the Board issued by the Texas Board of Nursing to the above identified nurse on February 16, 2011.

Your endeavor to assist this agency in protecting the public is appreciated.

If you have any questions, please contact the Department of Enforcement at (512) 305-6838.

Sincerely,

Katherine A. Thomas, MN, RN  
Executive Director

KAT/nak:

Enclosure: Order of the Board

09/99-G20

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### Members of the Board

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

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