

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 610000
ISSUED TO
SANDRA LYNN JONES

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
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.
Patricia P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Sandra Lynn Jones
155 Big Valley Road
Folsom, California 95630

During open meeting held in Austin, Texas, on February 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 professional 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 610000, previously issued to SANDRA LYNN JONES, to practice professional 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 professional nursing in the State of Texas.

Entered this 8th day of February, 2011.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed October 6, 2010.

Re: Permanent Certificate Number 610000
Issued to Sandra Lynn Jones
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of February, 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):

Sandra Lynn Jones
155 Big Valley Road
Folsom, California 95630

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

October 11, 2010

Certified Mail No. 91 7108 2133 3938 2192 9760
Return Receipt Requested

Sandra Lynn Jones
155 Big Valley Road
Folsom, California 95630

Dear Ms. Jones:

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 James S. Smelser, Investigator. 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 James S. Smelser, Investigator, Enforcement Division, at the above address, or at (512) 305-6831.

Sincerely,

Katherine A. Thomas, MN, RN
Executive Director

KAT/jss

Enclosure: Formal Charges

09/99-DA

Members of the Board

Linda Rounds, PhD, FNP, RN
Galveston, President

Deborah Bell, CLU, ChFC Abilene	Kristin Benton, MSN, RN Austin	Patricia Clapp, BA Dallas	Tamara Cowen, MN, RN Harlingen	Sheri Crosby, JD, SPHR Dallas	Marilyn Davis, BSN, RN, MPA Sugar Land
Bianca Rosa Garcia, PhD, RN Corpus Christi	Richard Gibbs, LVN Mesquite	Kathy Leader-Horn, LVN Corpus Christi	Josefina Lujan, PhD, RN El Paso	Beverley Jean Nutall, LVN Rivian	Mary Jane Salgado, MEd Earle Pass

**In the Matter of Permanent License
Number 610000, Issued to
SANDRA LYNN JONES, Respondent**

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**BEFORE THE TEXAS
BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SANDRA LYNN JONES, is a Registered Nurse holding license number 610000, which is in inactive 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 July 2, 2010, while holding a license as a Registered Nurse (Inactive) in the State of Texas, Respondent received a Decision and Order from the Board of Registered Nursing, Department of Consumer Affairs, State of California wherein Respondent's license to practice professional nursing, 612359, in the State of California was Revoked. A copy of the July 2, 2010 Decision and Order is attached and incorporated, by reference, as part of this Charge.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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).

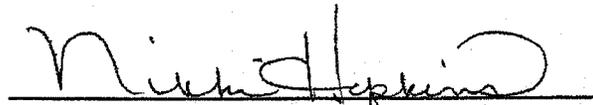
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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: Decision and Order from the Board of Registered Nursing, Department of Consumer Affairs, State of California dated July 2, 2010.

Filed this 6th day of October, 2010.

TEXAS BOARD OF NURSING



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: Decision and Order from the Board of Registered Nursing, Department of Consumer Affairs, State of California dated July 2, 2010.

0999/D

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 ARTHUR TAGGART
Supervising Deputy Attorney General
3 STERLING A. SMITH, State Bar No. 84287
Deputy Attorney General
4 California Department of Justice
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 445-0378
Facsimile: (916) 327-8643
7 Attorneys for Complainant

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10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**
12

13 In the Matter of the Accusation Against:
14 **SANDRA LYNN JONES**
aka **SANDRA LYNN ALEXANDER**
15 155 Big Valley Road
Folsom, California 95630
16 Registered Nurse License No. 612359
17 Respondent.
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Case No. 2008-121
**FIRST AMENDED
ACCUSATION**

19 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

20 **PARTIES**

- 21 1. Complainant brings this First Amended Accusation solely in her official capacity
22 as the Interim Executive Officer of the Board of Registered Nursing ("Board"), Department of
23 Consumer Affairs.
24 2. On or about January 27, 2003, the Board issued Registered Nurse License
25 Number 612359 to Sandra Lynn Jones ("Respondent"). The license will expire on October 31,
26 2010, unless renewed.

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1 **REGULATORY PROVISIONS**

2 7. California Code of Regulations, title 16, section 1443, states:

3 "As used in Section 2761 of the code, 'incompetence' means the lack of possession of or
4 the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and
5 exercised by a competent registered nurse as described in Section 1443.5."

6 **COST RECOVERY**

7 8. Code section 125.3 provides, in pertinent part, that the Board may request the
8 administrative law judge to direct a licentiate found to have committed a violation or violations
9 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
10 enforcement of the case.

11 **DRUGS**

12 9. "Norco" is a compound consisting of 10 mg. hydrocodone bitartrate also known
13 as dihydrocodeinone, a Schedule III controlled substance as designated by Health and Safety
14 Code section 11056(e)(4), and 325 mg. acetaminophen per tablet.

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Incompetence)**

17 10. Respondent is subject to discipline under Code section 2761(a)(1), on the grounds
18 of unprofessional conduct in that between March 2003 and May 2003, while employed as a
19 registered nurse at Eskaton Home Care Services, Fair Oaks, California, Respondent
20 demonstrated incompetence in the following respects:

21 **Patient MacG**

22 a. Respondent failed to submit the required patient paperwork in a timely manner, in that
23 it was late in excess of a week for approximately one month.

24 b. Respondent failed to perform a physician ordered blood draw on
25 March 1, 2003; instead, it was performed on March 3, 2003, without notification to the physician
26 of the delay.

27 c. Respondent failed to report the results of a blood draw performed on March 5, 2003,
28 to University of California, Davis Medical Center ("UCD").

1 d. Respondent performed blood draws on March 7, 12, 13, 27, and 31, 2003, without an
2 order from UCD.

3 e. Respondent documented 11 ProTime/International Normalized Ratio ("PT/INR")
4 results in the nursing notes with an entry that states, "Call to UCD Coumadin Clinic"; however,
5 there is no documentation of such results on the UCD log.

6 f. Respondent failed to visit/perform weekly PT/INR blood testing as ordered by the
7 patient's physician.

8 g. Respondent documented visiting the patient on April 23, 2003, when, in fact,
9 Respondent did not make such a visit.

10 h. Respondent performed a PT/INR blood test on April 29, 2003, instead of
11 April 30, 2003, as prescribed by the physician.

12 i. On or about April 30, 2003, without a physician's order, Respondent instructed the
13 patient to reduce her medication (Coumadin) dose from 6 mg. to 3 mg.

14 **Patient L.S.**

15 j. On or about April 15, 2003, without a physician's order, Respondent instructed the
16 patient to stop taking her medication (Coumadin) until further notice.

17 k. Respondent failed to document the necessity of a follow-up visit regarding
18 symptomatic issues (vomiting and sugar levels) the patient was experiencing during
19 Respondent's visit on April 15, 2003.

20 **Unknown patient**

21 l. On or about May 2, 2003, Respondent failed to properly insert a urinary catheter in the
22 patient.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Unprofessional Conduct)**

25 11. Respondent is subject to discipline under Code section 2761(a) on the grounds of
26 unprofessional conduct in that between March 2003 and May 2003, while employed as a
27 registered nurse at Eskaton Home Care Services, Fair Oaks, California, Respondent was guilty of
28 unprofessional conduct, as more particularly set forth above in paragraph 10.

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Conviction of a Crime)**

3 12. Respondent is subject to discipline under Code sections 2761(f), in that on or
4 about June 17, 2009, in the case of *People v. Sandra Lynn Jones*, (Super. Ct. Sacramento
5 County, Case No. 09F01247), Respondent was convicted by the Court on her plea of nolo
6 contendere of violating Health and Safety Code section 11173(a) (unlawfully obtained controlled
7 substances, to wit: Hydrocodone, and did procure the administration of and prescription for said
8 controlled substance by fraud, deceit, misrepresentation, and subterfuge). The circumstances of
9 the conviction was that between September 2, 2007, and May 3, 2008, while an employee at
10 First Call Home Care and Hospice, Respondent unlawfully obtained a controlled substance, to
11 wit: Hydrocodone by fraud, deceit, misrepresentation, and subterfuge.

12 **FOURTH CAUSE FOR DISCIPLINE**

13 **(Conviction of Criminal Offense Involving Controlled Substances)**

14 13. Respondent is subject to discipline under Code section 2761, subdivision (a), on
15 the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (c), in that
16 Respondent is convicted of an offense involving the prescription, consumption, or self-
17 administration of controlled substances, or the possession of, or falsification of a record
18 pertaining to controlled substances, as alleged in Paragraph 12.

19 **FIFTH CAUSE FOR DISCIPLINE**

20 **(Obtain, Possess and Self-Administer a Controlled Substance)**

21 14. Respondent is subject to discipline under Code section 2761(a), on the grounds of
22 unprofessional conduct, as defined in Code section 2762(a), in that on and between
23 September 13, 2007, and May 1, 2008, while employed as a registered nurse at First Call Care
24 and Hospice, Citrus Heights, California, Respondent did the following:

25 a. Respondent obtained Norco, a controlled substance, by fraud, deceit,
26 misrepresentation or subterfuge or by the concealment of a material fact in violation of Health
27 and Safety Code section 11173(a), by faxing or telephoning fraudulent supplemental prescription
28 orders for various hospice patients to Rite Aid pharmacy and Walgreens pharmacy, and taking

1 the medication for her own personal use.

2 b. Respondent possessed Norco, a controlled substance, in violation of Code section
3 4060, in that she did not have a prescription for that controlled substance.

4 c. Respondent self-administered Norco, a controlled substance, without direction to do
5 so from a licensed physician and surgeon, dentist or podiatrist.

6 **SIXTH CAUSE FOR DISCIPLINE**

7 **(Falsifying Prescription Records)**

8 15. Respondent is subject to discipline under Code section 2761(a), on the grounds of
9 unprofessional conduct as defined in Code section 2762(e), in that between September 13, 2007,
10 and May 1, 2008, while employed as a registered nurse at First Call Care and Hospice, Citrus
11 Heights, California, Respondent falsified prescription records maintained by Rite Aid pharmacy
12 and Walgreens pharmacy, in that Respondent faxed or telephoned prescription orders to Rite Aid
13 and Walgreens for various hospice patients, when in fact, Respondent was not authorized by a
14 physician to do so. In addition, three of the patients that Respondent ordered and picked up
15 Norco for were deceased. Furthermore, Respondent ordered and picked up Norco for a patient
16 two days after being terminated from her employment with First Call Care and Hospice. In total,
17 Respondent fraudulently obtained approximately 5,010 Norco tablets.

18 **PRAYER**

19 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein
20 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

21 1. Revoking or suspending Registered Nurse License Number 612359 to Sandra
22 Lynn Jones;

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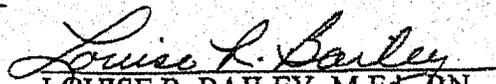
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2. Ordering Sandra Lynn Jones to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: 8/4/09


LOUISE R. BAILEY, M.Ed., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

SA2006100794
Accusation (kdg) 9/27/07Rev:7/20/09