



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 § AGREED
License Number 653176 §
issued to MELINDA FANNON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MELINDA FANNON, Registered Nurse License Number 653176, 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 November 17, 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(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 a Diploma in Nursing from Methodist Hospital School of Nursing, Lubbock, Texas, on May 29, 1998. Respondent was licensed to practice professional nursing in the State of Texas on July 14, 1998. Respondent received a Master's Degree in Nursing, from West Texas A & M University, Canyon, Texas, in 2005.
5. Respondent's nursing employment history includes:

05/1998 - 08/2002	Surgical/Trauma/Burn ICU Nurse	University Medical Center Lubbock, Texas
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Respondent's nursing employment history continued:

03/2001 - 08/2005	House Supervisor/Emergency Room Nurse	Childress Regional Medical Center, Childress, Texas
09/2005 - 02/2006	Intensive Care Unit/Cardiac Nurse	United Regional Medical Center Wichita Falls, Texas
03/2006 - 07/2007	Agency Nurse	Advantage Medical Staffing Lubbock, Texas
12/2007 - 05/2008	Staff Nurse	Lubbock State School Lubbock, Texas
06/2008 - 03/2009	Assistant Director of Nursing	Southwest Regional Specialty Hospital/Southwest Regional Skilled Nursing Center Lubbock, Texas
04/2009 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as an Assistant Director of Nursing with Southwest Regional Skilled Nursing Center, Lubbock, Texas, and had been in this position for seven (7) months.
7. On or about January 25, 2009, while employed as Assistant Director of Nursing (ADON) with Southwest Regional Skilled Nursing Center, Lubbock, Texas, Respondent inappropriately "corrected" the narcotic count sheet when she reduced the count of Hydrocodone belonging to Resident M by two (2) tablets, without accounting for those two (2) tablets. Respondent then failed to notify the Director of Nursing, Texas Department of Aging and Disability Services, or the police of the discrepancy. Respondent's conduct was likely to deceive the facility and constitutes a violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that when she went on shift, she checked the book and the medication aide checked the pills. The medication aide would just look at the number in the book and not count the pills to hurry the process of her going home. When Respondent got to Resident M's room, she requested a pain medication. When Respondent looked at the Narcotic Sheet, she saw that the count was wrong and the amount had been crossed out several times. She asked the charge nurse what to do and the charge nurse told her to correct it. Respondent asked the charge nurse to sign with her and left the narcotic sheet there for her to sign. They attempted to call the Director of Nursing multiple times, but there was never an answer. Respondent never initialed that she changed the narcotic sheet, which she never noticed before she went home because she was tired.

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 violation of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A)&(1)(D) and 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 653176, heretofore issued to MELINDA FANNON, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, 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 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 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>.*

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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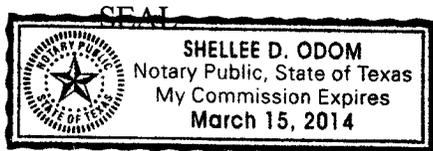
RESPONDENT'S CERTIFICATION

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 violation 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 3rd day of February, 2011.

Melinda Fannon
MELINDA FANNON, Respondent

Sworn to and subscribed before me this 3rd day of February, 2011.



Shellee Odom

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 3rd day of February, 2011, by MELINDA FANNON, Registered Nurse License Number 653176, and said Order is final.



Effective this 10th day of February, 2011.


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