



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 758330 and §
Vocational Nurse License Number 213364 §
issued to PETER ROBERT TRIPORO § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that PETER ROBERT TRIPORO, hereinafter referred to as Respondent, Registered Nurse License Number 758330, and Vocational Nurse License Number 213364, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code

An informal conference was held on November 16, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of his right to be represented by legal counsel. Respondent was represented by Nancy Roper-Willson, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; Lance Brenton, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Nancy Krause, RN, Investigator.

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 notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional and vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from the University of the Incarnate Word, San Antonio, Texas, on May 8, 2007, and a Baccalaureate Degree in Nursing from the University of the Incarnate Word, San Antonio, Texas, on May 10, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on November 20, 2007. Respondent was licensed to practice professional nursing in the State of Texas on July 15, 2008.

5. Respondent's nursing employment history includes:

5/2007 - 2/2008	Nurse Extern	North East Methodist Hospital San Antonio, Texas
11/2007 - 5/2008	Staff Nurse	Compass Hospital San Antonio, Texas
5/2008 - 8/2009	Staff Nurse	Baylor All Saints Medical Center Fort Worth, Texas
9/2009 - Present	Staff Nurse PRN	JPS Health Network Fort Worth, Texas
9/2009 - Present	Staff Nurse PRN	Bard Fort Worth, Texas
9/2009 - Present	Staff Nurse PRN	HCA Plaza Medical Center Fort Worth, Texas

6. At the time of the incidents in Findings of Fact Numbers Seven (7) and Nine (9), Respondent was employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, and had been in this position for one (1) year.

7. On or about May 18, 2009, and May 19, 2009, while employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent inappropriately added an undetermined amount of Fentanyl from an unlabeled syringe into the Intravenous Fluid (IV) bag of Patient MR#1218439. Respondent's conduct placed the patient at risk of experiencing adverse reactions to medications that were not ordered by the physician including symptoms of overdose.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states he injected Fentanyl into the IV bag but the bag was never connected to Patient MR#1218439.

9. On or about May 18, 2009 and May 19, 2009, while employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent inappropriately discarded an undetermined amount of Fentanyl, a narcotic, in a biohazard bag without following the policy and procedure for wastage of the unused portion of Fentanyl. Respondent's conduct was likely to deceive the pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
10. In response to the incident in Finding of Fact Number Nine (9), Respondent states the charge nurse removed the Fentanyl from the Omnicell medication dispensing system and it was her responsibility to waste the unused portion of the medication. Additionally, Respondent asserts that he had not received any training regarding the disposal of unused intravenous narcotics.
11. At the time of the incidents in Findings of Fact Numbers Twelve (12) and Fourteen (14), Respondent was employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas and had been in this position for one (1) year and three (3) months.
12. On or about August 8, 2009, while employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent performed blood sugar tests on Patient MR#M001067153 every two (2) hours without a physician's order. Respondent's conduct resulted in unnecessary and painful fingersticks to the patient in order to obtain test specimens.
13. In response to the incident in Finding of Fact Number Twelve (12), Respondent states that when the patient was transferred to the Intensive Care Unit, the physician ordered the blood sugar tests every two (2) hours but Respondent forgot to write the order. Respondent contends that it is within the nursing scope of practice to check glucose levels every two (2) hours regardless of a physician's order.
14. On or about August 8, 2009, while employed as a Staff Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent administered Insulin per the sliding scale every two (2) hours to Patient MR#M001067153, without a physician's order. Respondent's conduct deprived the patient of medical intervention by a physician to stabilize the patient's blood sugar level and placed the patient at risk of adverse reactions to the inappropriate administration of Insulin.
15. In response to the incident in Finding of Fact Number Fourteen (14), Respondent states he assumed the physician wanted to treat the glucose levels when he ordered the glucose tests. Respondent states it was a mis-communication between himself and the physician.
16. On or about May 7, 2010, Respondent successfully completed the course, Sharpening Critical Thinking Skills, which would have been a requirement of this Order.

17. On or about June 23, 2010, Respondent successfully completed the course, Protecting Your Patients and Your Practice, which would have been a requirement of this Order.

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)(C)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(6)(C).
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 758330, and Vocational Nurse License Number 213364, heretofore issued to PETER ROBERT TRIPORO, 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 WARNING 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 licenses 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 medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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>

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 A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD.

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

(3) 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.

(4) 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. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(5) 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 one (1) year 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.

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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 ____ day of _____, 20____.

PETER ROBERT TRIPORO, Respondent

Sworn to and subscribed before me this ____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

Approved as to form and substance.

Nancy Roper-Willson, Attorney for Respondent

Signed this ____ day of _____, 20____.

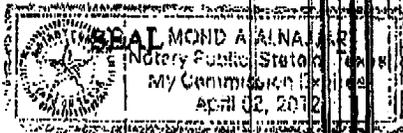
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Signed this 4 day of January, 2011.

Peter Triporo
PETER ROBERT TRIPORO, Respondent

Sworn to and subscribed before me this 4 day of Jan, 2011.



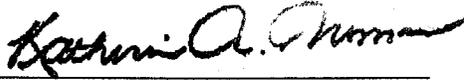
Mohd F. Al Najjar
Notary Public in and for the State of TX

Willson
Approved as to form and substance
Nancy Roger Willson
Nancy Roger Willson, Attorney for Respondent

Signed this 4th day of January 2011.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 4th day of January, 2011, by PETER ROBERT TRIPORO, Registered Nurse License Number 758330, and Vocational Nurse License Number 213364, and said Order is final.

Effective this 27th day of January, 2011.



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