



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 561686 §
issued to HOPE DIANNE MURRAY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of HOPE DIANNE MURRAY, Registered Nurse License Number 561686, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(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 27, 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 Degree in Nursing from Methodist Hospital, Lubbock, Texas, on June 1, 1990. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1990.
5. Respondent's nursing employment history includes:

8/1990 - 8/1991	Staff Nurse	Methodist Hospital Lubbock, Texas
9/1991 - 11/1994	Staff Nurse Charge Nurse	St. Mary's Hospital Lubbock, Texas

Respondent's nursing employment history continued:

12/1994 - 8/1996	Staff Nurse	Cresbyton Home Health Cresbyton, Texas
9/1996 - 10/1996	Staff Nurse	Shannon Hospital San Angelo, Texas
11/1996 - 1/1997	RN Field Nurse	Hospice of San Angelo San Angelo, Texas
2/1997 - 3/1998	Charge Nurse	Columbia Hospital San Angelo, Texas
11/1997 - 3/1998	Part-time Field Nurse	Girling Home Health San Angelo, Texas
4/1998 - 8/1998	Unknown	
9/1998 - 8/1999	Charge Nurse	Hendrick Memorial Hospital Abilene, Texas
9/1999 - 8/2002	On-call Field Nurse	Covenant Home Health Levelland, Texas
9/2002 - 4/2003	Field Nurse	Mi Casita Nursing Home Lubbock, Texas
5/2003 - 7/2006	Assistant Director Charge Nurse	Littlefield Nursing & Rehabilitation Littlefield, Texas
8/2006 - 11/2006	Director of Nursing	Cottage Village Lubbock, Texas
12/2006 - Present	RN Branch Supervisor	Covenant Home Health Care Littlefield, Texas

6. At the time of the initial incident, Respondent was employed as a Home Health Nurse with Covenant Home Health Care, Littlefield, Texas, and had been in this position for one (1) year and two (2) months.
7. On or about February 7, 2008, while employed with the Littlefield Branch of Covenant Home Health Care, Lubbock, Texas, Respondent failed to perform a nurse visit or refer another nurse to make a visit to determine why the patient's wound vac was making noise for Patient Medical Record Number 449570699A. Earlier in the day, the Respondent performed home visits twice in response to the patient's report of a noisy wound vac, and changed the dressing

and re-applied the wound vac during one of the visits. When the caregiver called later that evening, again complaining that the wound vac was making noise again, Respondent was unable to perform the visit herself, due to family obligations, and could not send the Licensed Vocational Nurse, who was on call at the time, because the family had requested that he not return. Rather than refer the call to the Lubbock office so that another nurse could respond to the patient's need, Respondent instructed the care giver to turn off and remove the wound vac and to redress the wound, as previously ordered, and that she would perform a visit the next morning to address the wound vac. Respondent's conduct unnecessarily exposed the patient to the risk of injury from non-efficacious care.

8. In response to Finding of Fact Number Seven (7), Respondent states that she felt there wasn't a need to go to the patient's house because the care giver had changed the wound vac previously, and she didn't think to call the branch office to have another nurse respond to the patient's needs. Respondent indicates in retrospect she realizes that as the Registered Nurse Supervisor, she should have called the Lubbock office to have the Registered Nurse on-call respond to the patient's needs.

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)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C),(1)(M)&(1)(P).
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 561686, heretofore issued to HOPE DIANNE MURRAY, 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 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://ncsbn.hivelive.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 6th day of December, 20 10.

Hope Dianne Murray
HOPE DIANNE MURRAY, Respondent

Sworn to and subscribed before me this 6 day of December, 20 10.



Cindy Ann Jennings
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 6th day of December, 2010, by HOPE DIANNE MURRAY, Registered Nurse License Number 561686, and said Order is final.



Effective this 7th day of December, 20 10.

Katherine A. Thomas

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