

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 196613
ISSUED TO
DEBORAH HARRIS ANDERSON

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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: DEBORAH HARRIS ANDERSON
7416 A Davis Boulevard
North Richland Hills, Texas 76180

During open meeting held in Austin, Texas, on December 14, 2010, 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 vocational 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

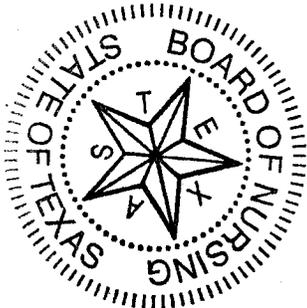
proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity 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 196613, previously issued to DEBORAH HARRIS ANDERSON, to practice vocational 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 vocational nursing in the State of Texas.

Entered this 14th day of December, 2010.



TEXAS BOARD OF NURSING

BY:

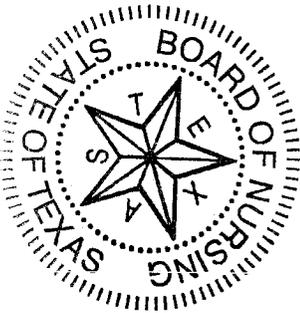
A handwritten signature in black ink, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of December, 2010, 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):

DEBORAH HARRIS ANDERSON
7416 A Davis Boulevard
North Richland Hills, Texas 76180



BY:

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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 196613, Issued to §
DEBORAH HARRIS ANDERSON, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DEBORAH HARRIS ANDERSON, is a Vocational Nurse holding license number 196613, which is in delinquent 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 March 29, 2008 through March 31, 2008, while employed as a Licensed Vocational Nurse with Regency Hospital, Fort Worth, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System (Omniceil) for Patient Medical Record Number 000602, without valid physicians' orders, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>MAR</u>	<u>Documentation on Nurses Notes</u>	<u>Waste</u>	<u>Order</u>
000602	03/29/08	0643	Hydromorphone 2mg/1ml vial (1)	None	None	None	Patient Discharged 03/28/08 at 2000
000602	03/29/08	0717	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1009	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1152	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1429	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1655	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1903	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	0715	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	0910	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	1130	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	1404	Hydromorphone 2mg/1ml vial (1)	None	None	None	None

000602	03/30/08	1634	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	1906	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/31/08	0706	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/31/08	0749	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/31/08	1105	Hydromorphone 2mg/1ml vial (2)	None	None	None	None

Respondent's conduct was likely to injure the patient in that the administration of Hydromorphone, without a valid physician's order could result in the patient experiencing adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(C), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),&(11)(B).

CHARGE II.

On or about March 28, 2008, while employed as a Licensed Vocational Nurse with Regency Hospital, Fort Worth, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System (Omniceil) for Patient Medical Record Number 000602, in excess frequency of the physicians' order, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>MAR</u>	<u>Documentation on Nurses Notes</u>	<u>Waste</u>	<u>Order</u>
000602	03/28/08	0815	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/28/08	0831	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/28/08	1117	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/28/08	1223	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/28/08	1512	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn

Respondent's conduct was likely to injure the patient in that the administration of Hydromorphone in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(C), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4)&(11)(B).

CHARGE III.

On or about March 28, 2008 through March 31, 2008, while employed as a Licensed Vocational Nurse with Regency Hospital, Fort Worth, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System (Omniceil) for Patient Medical Record Number 000602, but failed to document, or accurately document the administration, including signs, symptoms and responses to the medications in the patients' Medication Administration Record and/or nurse's notes, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>MAR</u>	<u>Documentation on Nurses Notes</u>	<u>Waste</u>	<u>Order</u>
000602	03/28/08	0815	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial IVP Q4-6H prn
000602	03/28/08	0831	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial IVP Q4-6H prn
000602	03/28/08	1117	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial IVP Q4-6H prn
000602	03/28/08	1223	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial IVP Q4-6H prn
000602	03/28/08	1512	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial IVP Q4-6H prn
000602	03/29/08	0643	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/29/08	0717	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/29/08	1009	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/29/08	1152	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/29/08	1429	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/29/08	1655	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/29/08	1903	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/30/08	0715	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/30/08	0910	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/30/08	1130	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/30/08	1404	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None

000602	03/30/08	1634	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/30/08	1906	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/31/08	0706	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/31/08	0749	Hydromorphone 2mg/1ml vial (1)	None	Discharged 3/28/08 at 2000	None	None
000602	03/31/08	1105	Hydromorphone 2mg/1ml vial (2)	None	Discharged 3/28/08 at 2000	None	None

Respondent's conduct above was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(B)&(4).

CHARGE IV.

On or about March 28, 2008, while employed as a Licensed Vocational Nurse with Regency Hospital, Fort Worth, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System (Omniceil) for Patient Medical Record Number 000602, but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>MAR</u>	<u>Documentation on Nurses Notes</u>	<u>Waste</u>	<u>Order</u>
000602	03/28/08	0815	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/28/08	0831	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/28/08	1117	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/28/08	1223	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/28/08	1512	Hydromorphone 2mg/1ml vial (1)	None	None	None	Hydromorphone 2mg/ml vial 2mg IVP Q4-6H prn
000602	03/29/08	0643	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	0717	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1009	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1152	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1429	Hydromorphone 2mg/1ml vial (1)	None	None	None	None

000602	03/29/08	1655	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/29/08	1903	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	0715	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	0910	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	1130	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	1404	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	1634	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/30/08	1906	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/31/08	0706	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/31/08	0749	Hydromorphone 2mg/1ml vial (1)	None	None	None	None
000602	03/31/08	1105	Hydromorphone 2mg/1ml vial (2)	None	None	None	None

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(10)(C)&(11)(B).

CHARGE V.

On or about March 28, 2008, while employed as a Licensed Vocational Nurse with Regency Hospital, Fort Worth, Texas, Respondent misappropriated Hydromorphone 2mg/1ml Vials from the facility and patients thereof or failed to take precautions to prevent the loss of Hydromorphone. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(6)(G)&(8).

CHARGE VI.

On or about April 1, 2008, while employed as a Licensed Vocational Nurse with Regency Hospital, Fort Worth, Texas, Respondent engaged in the intemperate use of Morphine in that Respondent produced a specimen for a drug screen that resulted positive for Morphine (>20000 ng/mL). Possession of Morphine is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Morphine by a Licensed Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(5),(10)(A)&(D) and (11)(B).

CHARGE VII.

On or about June 17, 2008, through July 7, 2008, while employed as a Licensed Vocational Nurse with Kindred Hospital, Mansfield, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System (SureMed) for patients, even though Respondent was not scheduled to work and was not clocked in, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>Scheduled to Work</u>
152950	06/17/08	1450	Hydromorphone 2 mg Tubex (4)	No
152950	06/17/08	2326	Hydromorphone 2mg Tubex (4)	No
1079250	06/18/08	1713	Hydromorphone 2mg Tubex (4)	No
1079250	06/19/08	0638	Hydromorphone 2mg Tubex (4)	No
152289	07/02/08	0742	Hydromorphone 2mg Tubex (4)	No
152289	07/02/08	0743	Hydromorphone 2mg Tubex (5)	No
152289	07/05/08	0615	Hydromorphone 2mg Tubex (4)	Clocked in at 0634

Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(6)(G)&(8).

CHARGE VIII.

On or about June 11, 2008, through July 5, 2008, while employed as a Licensed Vocational Nurse with Kindred Hospital, Mansfield, Texas, Respondent, withdrew Meperidine and Hydromorphone from the Medication Dispensing System (SureMed) for patients without valid physicians' orders, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>Time on MAR</u>	<u>Documentation on Nurses Notes/ Pain Flow Sheets</u>	<u>Waste</u>	<u>Order</u>
152950	06/11/08	1052	Meperidine 25mg (1)	None	None	None	None
152950	06/17/08	1450	Hydromorphone 2mg Tubex (4)	None	None	None	None
152950	06/17/08	2326	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/19/08	0638	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/20/08	0607	Hydromorphone 2mg Tubex (4)	None	None	None	None

152289	06/20/08	1026	Hydromorphone 2mg Tubex (2)	None	None	None	None
152289	06/20/08	1301	Hydromorphone 2mg Tubex (3)	None	None	None	None
152289	06/20/08	1759	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	0659	Hydromorphone 2mg Tubex (2)	None	None	None	None
152289	06/21/08	0935	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	1447	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	1927	Hydromorphone 2mg Tubex (2)	None	None	None	None
152950	06/21/08	1933	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08
152950	06/22/08	0850	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08
152289	06/22/08	1100	Hydromorphone 2mg Tubex (3)	None	None	None	None
152289	06/22/08	1235	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/22/08	1535	Hydromorphone 2mg Tubex (2)	None	None	None	None
152289	06/22/08	1823	Hydromorphone 2mg Tubex (4)	None	None	None	None
152950	06/24/08	1618	Hydromorphone 2mg Tablet (4)	None	None	None	Patient Discharged 06/18/08
152950	06/24/08	1619	Hydromorphone 2mg Tubex (4)	None	None	None	Patient Discharged 06/18/08
152950	06/24/08	1620	Hydromorphone 2mg Tubex (1)	None	None	None	Patient Discharged 06/18/08
152950	06/26/08	1053	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08
152950	06/26/08	1616	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Dishcharged 06/18/08

Respondent's conduct was likely to injure the patients, in that the administration of Meperidine and Hydromorphone, without a valid physician's order could result in the patients experiencing adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE § 217.11(1)(A), (B) & (D), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(6)(A)&(H),(10)(B)&(11)(B).

CHARGE IX.

On or about June 11, 2008, through July 5, 2008, while employed as a Licensed Vocational Nurse with Kindred Hospital, Mansfield, Texas, Respondent, withdrew Meperidine and Hydromorphone from the Medication Dispensing System (SureMed) for patients, but failed to document, or accurately document the administration, including signs, symptoms and responses to the medications in the patients' medical records/and or nurses notes, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>Time on MAR</u>	<u>Documentation on Nurses Notes/ Pain Flow Sheets</u>	<u>Waste</u>	<u>Order</u>
153073	06/11/08	0915	Hydromorphone 1 mg Injection (1)	None	None	None	Hydromorphone 1 mg q4h prn severe pain
152950	06/11/08	1052	Meperidine 25mg (1)	None	None	None	None
153073	06/11/08	1209	Hydromorphone 1mg Injection (1)	None	None	None	Hydromorphone 1mg q4h prn severe pain
153157	06/11/08	1304	Morphine INJ 4mg INJ. Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
153073	06/11/08	1524	Hydromorphone 2mg Tubex (1)	None	None	None	Hydromorphone 1mg q4h prn severe pain
153157	06/11/08	1746	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
152289	06/11/08	1857	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153157	06/12/08	0713	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
152289	06/12/08	0759	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153048	06/12/08	1052	Hydrocodone/APAP 10/325mg 10mg Tablet (1)	None	None	None	Hydrocodone/APAP 10/325 q4-6h prn moderate pain
153157	06/12/08	1125	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
152289	06/12/08	1405	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/13/08	0737	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153076	06/13/08	0823	Modafinil 100gm Tablet	None	None	None	Modafinil PO Tab 100mg q24h
152289	06/13/08	1134	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153157	06/13/08	1501	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
152289	06/13/08	1608	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain

152289	06/13/08	1950	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/14/08	0719	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153157	06/14/08	0953	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
153076	06/14/08	1022	Hydrocodone/APAP 10/325mg 10mg Tablet (2)	None	None	5mg @ 1025	Hydrocodone 10mg acetaminophen 325 PO tab, q4h prn
152289	06/14/08	1126	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153048	06/14/08	1128	Hydrocodone/APAP 10/325mg 10mg Tablet (1)	None	None	None	Hydrocodone/APAP 10/325 q4-6h prn moderate pain
153048	06/14/08	1443	Morphine ing 2mg INJ Syringe (1)	None	None	None	Morphine Sulfate 2mg IVP x1 then PO tabs
152289	06/14/08	1522	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/14/08	1814	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	0712	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1017	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1441	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1502	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1710	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1916	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152950	06/17/08	1450	Hydromorphone 2mg Tubex (4)	None	None	None	None
152950	06/17/08	2326	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/18/08	1713	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/19/08	0638	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/20/08	0607	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/20/08	1026	Hydromorphone 2mg Tubex (2)	None	None	None	None

152289	06/20/08	1301	Hydromorphone 2mg Tubex (3)	None	None	None	None
152289	06/20/08	1759	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	0659	Hydromorphone 2mg Tubex (2)	None	None	None	None
152289	06/21/08	0935	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	1447	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	1927	Hydromorphone 2mg Tubex (2)	None	None	None	None
152950	06/21/08	1933	Hydromorphphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08
153204	06/22/08	0808	Hydromorphone 2mg Tubex (1)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152950	06/22/08	0850	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08
152289	06/22/08	1100	Hydromorphone 2mg Tubex (3)	None	None	None	None
152289	06/22/08	1235	Hydromorphone 2mg Tubex (4)	None	None	None	None
153204	06/22/08	1423	Lorazepam inj 2mg injection (1)	None	None	None	Lorazepam 1mg q8h prn moderate anxiety
152289	06/22/08	1535	Hydromorphone 2mg Tubex (2)	None	None	None	None
153204	06/22/08	1728	Hydromorphone 2mg Tubex (1)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/22/08	1823	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/24/08	0929	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/24/08	1224	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/24/08	1506	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152950	06/24/08	1619	Hydromorphone 2mg Tubex (4)	None	None	None	Patient Discharged 06/18/08
152950	06/24/08	1620	Hydromorphone 2mg Tubex (1)	None	None	None	Patient Discharged 06/18/08
152289	06/25/08	0743	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/25/08	1205	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain

153204	06/25/08	1531	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/25/08	1532	Hydromorphone 2mg Tubex (3)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152950	06/26/08	1053	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08
152289	06/26/08	1256	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/26/08	1616	Hydromorphone 2mg Tubex (3)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152950	06/26/08	1616	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Dishcharged 06/18/08
153204	06/26/08	1618	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/27/08	0644	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153204	06/27/08	0739	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/27/08	0925	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/27/08	1451	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/27/08	1759	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/28/08	0924	Oxycodone HCL CR 40mg Tablet (1)	None	None	None	Oxycodone 40mg PO BID
152289	06/28/09	1141	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	0741	Hydromorphone 2mg Tubex (4)	0803	4mg	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/08	0850	Oxycodone HCL CR 40mg Tablet (1)	None	None	None	Oxycodone 40mg PO BID
152289	06/29/09	1327	Hydromorphone 2mg Tubex (4)	0803	4mg	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	1418	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	1459	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	1719	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	1913	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/30/09	0945	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain

152289	06/30/09	1133	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153204	06/30/08	1414	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/30/08	1521	Hydromorphone 2mg tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	07/01/08	0803	Hydromorphone 2mg tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153204	07/01/08	0841	Hydromorphone 2mg tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	07/01/08	1047	Hydromorphone 2mg tubex (3)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	07/01/08	1356	Hydromorphone 2mg tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153204	07/01/08	1557	Hydromorphone 2 mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
153204	07/01/08	1606	Hydromorphone 2 mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	07/02/08	0742	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	07/02/08	0743	Hydromorphone 2mg Tubex (5)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	07/05/08	0615	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain

Respondent's conduct above was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B) and (4).

CHARGE X.

On or about June 11, 2008, through July 5, 2008, while employed as a Licensed Vocational Nurse with Kindred Hospital, Mansfield, Texas, Respondent, withdrew narcotics from the Medication Dispensing System (SureMed) for patients, but failed to follow the facility's policy and procedures regarding wastage of any of the unused portions of the narcotics, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>Time on MAR</u>	<u>Documentation on Nurses Notes/ Pain Flow Sheets</u>	<u>Waste</u>	<u>Order</u>
153073	06/11/08	0915	Hydromorphone 1 mg Injection (1)	None	None	None	Hydromorphone 1 mg q4h prn severe pain
152950	06/11/08	1052	Meperidine 25mg (1)	None	None	None	None

153073	06/11/08	1209	Hydromorphone 1mg Injection (1)	None	None	None	Hydromorphone 1mg q4h prn severe pain
153157	06/11/08	1304	Morphine INJ 4mg INJ. Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
153073	06/11/08	1524	Hydromorphone 2mg Tubex (1)	None	None	None	Hydromorphone 1mg q4h prn sever pain
153157	06/11/08	1746	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
152289	06/11/08	1857	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153157	06/12/08	0713	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
152289	06/12/08	0759	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153048	06/12/08	1052	Hydrocodone/APAP 10/325mg 10mg Tablet (1)	None	None	None	Hydrocodone/APAP 10/325 q4-6h prn moderate pain
153157	06/12/08	1125	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
152289	06/12/08	1405	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/13/08	0737	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153076	06/13/08	0823	Modafinil 100gm Tablet	None	None	None	Modafinil PO Tab 100mg q24h
152289	06/13/08	1134	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153157	06/13/08	1501	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
152289	06/13/08	1608	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/13/08	1950	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/14/08	0719	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153157	06/14/08	0953	Morphine INJ 4mg INJ Syringe (1)	None	None	None	Morphine Sulfate IV Inj 4mg q2h prn severe pain
153076	06/14/08	1022	Hydrocodone/APAP 10/325mg 10mg Tablet (2)	None	None	5mg @1025	Hydrocodone 10mg acetaminophen 325 PO tab, q4h prn
152289	06/14/08	1126	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153048	06/14/08	1128	Hydrocodone/APAP 10/325mg 10mg Tablet (1)	None	None	None	Hydrocodone/APAP 10/325 q4-6h prn moderate pain

153048	06/14/08	1443	Morphine ing 2mg INJ Syringe (1)	None	None	None	Morphine Sulfate 2mg IVP x1 then PO tabs
152289	06/14/08	1522	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/14/08	1814	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	0712	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1017	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1441	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1502	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1710	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/15/08	1916	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152950	06/17/08	1450	Hydromorphone 2mg Tubex (4)	None	None	None	None
152950	06/17/08	2326	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/18/08	1713	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/19/08	0638	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/20/08	0607	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/20/08	1026	Hydromorphone 2mg Tubex (2)	None	None	None	None
152289	06/20/08	1301	Hydromorphone 2mg Tubex (3)	None	None	None	None
152289	06/20/08	1759	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	0659	Hydromorphone 2mg Tubex (2)	None	None	None	None
152289	06/21/08	0935	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	1447	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/21/08	1927	Hydromorphone 2mg Tubex (2)	None	None	None	None
152950	06/21/08	1933	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08

153204	06/22/08	0808	Hydromorphone 2mg Tubex (1)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152950	06/22/08	0850	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08
152289	06/22/08	1100	Hydromorphone 2mg Tubex (3)	None	None	None	None
152289	06/22/08	1235	Hydromorphone 2mg Tubex (4)	None	None	None	None
153204	06/22/08	1423	Lorazepam inj 2mg Injection (1)	None	None	None	Lorazepam 1mg q8h prn moderate anxiety
152289	06/22/08	1535	Hydromorphone 2mg Tubex (2)	None	None	None	None
153204	06/22/08	1728	Hydromorphone 2mg Tubex (1)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/22/08	1823	Hydromorphone 2mg Tubex (4)	None	None	None	None
152289	06/24/08	0929	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/24/08	1224	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/24/08	1506	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152950	06/24/08	1619	Hydromorphone 2mg Tubex (4)	None	None	None	Patient Discharged 06/18/08
152950	06/24/08	1620	Hydromorphone 2mg Tubex (1)	None	None	None	Patient Discharged 06/18/08
152289	06/25/08	0743	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/25/08	1205	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153204	06/25/08	1531	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/25/08	1532	Hydromorphone 2mg Tubex (3)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152950	06/26/08	1053	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Discharged 06/18/08
152289	06/26/08	1256	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/26/08	1616	Hydromorphone 2mg Tubex (3)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152950	06/26/08	1616	Hydromorphone 2mg Tubex (2)	None	None	None	Patient Dishcharged 06/18/08
153204	06/26/08	1618	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain

152289	06/27/08	0644	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153204	06/27/08	0739	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/27/08	0925	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/27/08	1451	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/27/08	1759	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/28/08	0924	Oxycodone HCL CR 40mg Tablet (1)	None	None	None	Oxycodone 40mg PO BID
152289	06/28/09	1141	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	0741	Hydromorphone 2mg Tubex (4)	0803	4mg	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/08	0850	Oxycodone HCL CR 40mg Tablet (1)	None	None	None	Oxycodone 40mg PO BID
152289	06/29/09	1327	Hydromorphone 2mg Tubex (4)	0803	4mg	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	1418	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	1459	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	1719	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/29/09	1913	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/30/09	0945	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	06/30/09	1133	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153204	06/30/08	1414	Hydromorphone 2mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	06/30/08	1521	Hydromorphone 2mg tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	07/01/08	0803	Hydromorphone 2mg tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
153204	07/01/08	0841	Hydromorphone 2mg tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	07/01/08	1047	Hydromorphone 2mg tubex (3)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	07/01/08	1356	Hydromorphone 2mg tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain

153204	07/01/08	1557	Hydromorphone 2 mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
153204	07/01/08	1606	Hydromorphone 2 mg Tubex (2)	None	None	None	Hydromorphone 1-2mg q4h prn severe pain
152289	07/02/08	0742	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	07/02/08	0743	Hydromorphone 2mg Tubex (5)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain
152289	07/05/08	0615	Hydromorphone 2mg Tubex (4)	None	None	None	Hydromorphone IV 3-4mg q3h prn severe pain

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(10)(C)&(11)(B).

CHARGE XI.

On or about June 11, 2008, through July 5, 2008, while employed as a Licensed Vocational Nurse with Kindred Hospital, Mansfield, Texas, Respondent, misappropriated narcotics from the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(6)(G)&(8).

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 to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, which 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.

Filed this 30th day of August, 20 10.

TEXAS BOARD OF NURSING



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