BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 148460	§	
issued to RALPH WAYNE BOULLION	§	ORDER

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.
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Board, conside the matter of RALPH WAYNE BOULLION, Vocational Nurse License Number 148460, 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, 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, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent is currently licensed to practice vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Austin Community College, Austin, Texas on August 10, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on September 19, 1994.

5. Respondent's vocational nursing employment history includes:

9/94-11/94	LVN	South Austin Medical Center Austin, Texas

Respondent's vocational nursing employment history continued:

11/94-9/01	LVN	Seton Medical Center Austin, Texas
9/01-7/03	Not employed in Nursing	
8/03-4/08	LVN	Texas NeuroRehab Center Austin, Texas
5/08-Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Texas NeuroRehab Center, Austin, Texas, and had been in this position for approximately four (4) years and eight (8) months.

7. On or about April 6, 2008, while employed with Texas Neuro Rehab Center, Austin, Texas, Respondent failed to completely and accurately document the signs, symptoms and responses to the Norco and Dilaudid he administered to patient #37278 in the Nurses Notes as follows:

Time/Date	Patient	Medication	Order	MAR	Nurses' Notes
4/6/08 @ 0700	37278	(1) Hydrocodone 10/325	1 Tab Hydrocodone 10/325 Q 4hrs PRN	0700	No response to medication documented
4/6/08 @ 0800	37278	(2) Hydromorphone 2mg	2-4mg Hydromorphone Q 2hrs PRN Pain	0800	No response to medication documented
4/6/08 @ 1100	37278	(1) Hydrocodone 10/325	1 Tab Hydrocodone 10/325 Q 4hrs PRN	1100	No response to medication documented
4/6/08 @ 1200	37278	(2) Hydromorphone 2mg	2-4mg Hydromorphone Q 2hrs PRN Pain	1200	No response to medication documented
4/6/08 @ 1700	37278	(1) Hydrocodone 10/325	1 Tab Hydrocodone 10/325 Q 4hrs PRN	1700	No response to medication documented
4/6/08 @ 1930	37278	(2) Hydromorphone 2mg	2-4mg Hydromorphone Q 2hrs PRN Pain	1930	No response to medication documented

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.

8. In response to Finding of Fact Number Seven (7), Respondent states that all medications were documented in the MARs and/or nurses notes' as per hospital policy. Respondent states that he'd never been written up, counseled, educated or talked to in a negative way about this.

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 is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 148460, heretofore issued to RALPH WAYNE BOULLION, 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.*

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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CONTINUED ON NEXT PAGE.

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 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 24 day of Feb, 2011.

RALPH WAYNE BOULLION, Respondent

Sworn to and subscribed before me this 24 day of February, 2011.

SEAL

NANCY KEELAN HARVATH
Notary Public, State of Texas
My Commission Expires
July 24, 2011

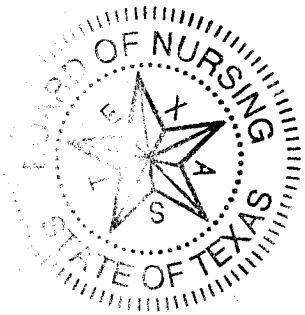
Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn Mackay, Attorney for Respondent

Signed this 26th day of February, 2011.

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 24th day of February, 2011, by RALPH WAYNE BOULLION, Vocational Nurse License Number 148460, and said Order is final.



Effective this 28th day of February, 2011.

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