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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 629182	§	
issued to CHIQUITA MARIE WALLACE	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of CHIQUITA MARIE WALLACE, Registered Nurse License Number 629182, 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 January 18, 2011, 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 Lewis University, Lockport, Illinois on June 1, 1977. Respondent was licensed to practice professional nursing in State of Texas on June 17, 1996.

5. Respondent's nursing employment history includes:

1977-1999	Unknown	
11/1999-8/2007	RN III/Manager	Memorial Hermann Healthcare System Houston, Texas

Respondent's nursing employment history continued:

9/2007-62009	Staff Nurse	Emergency Health Center at Willowbrook Houston, Texas
6/2009-5/2010	RN	Cypress Fairbank Medical Center Hospital assigned to Urgent Care Clinic Houston, Texas
6/2010-Present	RN	North Cypress Medical Center Hospital Houston, Texas

6. At the time of the incident, Respondent was employed as a RN with Cypress Fairbank Medical Center Hospital and assigned to the Urgent Care Clinic, and had been in this position for eleven (11) months.

7. On or about June 17, 2009, through May 13, 2010, while employed with Cypress Fairbanks Medical Center, Houston, Texas, and assigned to the Urgent Care Center, Respondent signed prescriptions using the ordering physician's initials, J.A.B., without counter-signing with her own signature, as required, for several patients assigned to her care on several occasions. When confronted with this conduct by the facility's Nurse Manager, Respondent admitted that she had signed prescriptions, at the physician's direction, using the physician's initials. Respondent's conduct resulted in prescriptions being issued and presented to local pharmacies that were not completely accurate and/or complete.

8. In response to the incident in Findings of Fact Number Seven (7), Respondent states that when the physician, who was the medical director, told her to sign his initials to prescriptions for the patients he saw so they could increase patient turnover in the very busy clinic, she didn't think there was anything wrong with doing that. Respondent states that she, at first, thought it was strange, but because the physician was the medical director and he said it would be ok she did sign his initials to patient prescription that he had written. It wasn't until she was asked about the practice that she realized she shouldn't be doing that.

9. Charges were filed on January 11, 2010.

10. Charges were mailed to Respondent on January 12, 2010.

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(1)(A)&(1)(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 629182, heretofore issued to CHIQUITA MARIE WALLACE, 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 A FINE, 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 <u>not</u> 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://learningext.com/hives/a0f6f3e8a0/summary.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty ($250.00) dollars. RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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

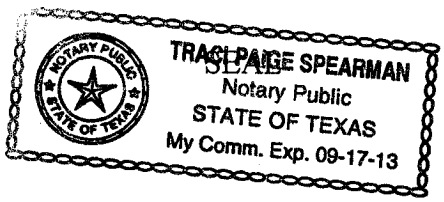
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 18th day of February, 2011

Chiquita Marie Wallace

CHIQUITA MARIE WALLACE, Respondent

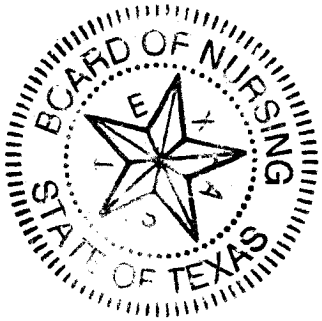
Sworn to and subscribed before me this 18 day of February 2011.



Traci Paige Spearman

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 18th day of February, 2011, by CHIQUITA MARIE WALLACE, Registered Nurse License Number 629182, and said Order is final.



Effective this 23rd day of February, 2011.

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