IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 206554	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
ROSELMA ERSILIA	§	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

ORDER OF THE BOARD

TO: Roselma Ersilia Hendrix
5103 Regal Pine Way
Friendswood, Texas 77546

During open meeting held in Austin, Texas, on November 9, 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 206554, previously issued to ROSELMA ERSILIA HENDRIX, 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 9th day of November, 2010.

TEXAS BOARD OF NURSING

BY: Katherine A. Thomas

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

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 206554, Issued to	§	
ROSELMA ERSILIA HENDRIX, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ROSELMA ERSILIA HENDRIX, is a Vocational Nurse holding license number 206554, 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 June 7, 2009, while employed with Excel Staffing Service, Greensboro, North Carolina, and on assignment at Lampstand Health and Rehab of Bryan, Bryan, Texas, Respondent failed to obtain glucometer readings from residents, as ordered, and falsely documented glucose readings in the medical records of residents, as follows:

Time	Resident Number	Documented on Treatment Record by Respondent	Matching Glucometer History Readings for Time Documented
0700	98	117	None
0700	662	120	None
0700	163	112	None
0700	392	152	None
0700	654	204	None
1630	163	201	None
1630	392	108	None
1630	318	160	None
1630	471	120	None
1900	545	230	None
1900	654	162	None

Respondent's conduct was deceptive, resulted in an inaccurate medical record, and was likely to injure residents in that failure to obtain blood glucose readings, as ordered could have resulted in non-efficacious treatment and/or the progression of clinical complications associated with hyperglygemia or hypoglycemia, including coma and death.

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),(1)(B),(1)(D),(1)(M)&(2)(A) and 217.12(1)(A),(1)(B),(1)(C),(4)&(6)(A).

CHARGE II.

On or about June 7, 2009, while employed with Excel Staffing Service, Greensboro, North Carolina, and on assignment at Lampstand Health and Rehab of Bryan, Bryan, Texas, Respondent failed to assess wounds and perform dressing changes on residents, as ordered, and falsely documented in the medical records of residents that she had performed dressing changes, as follows:

Dressings Observed on 6/8/09 Last Changed & Dated	Resident Number	Physician's Order	Documented as though performed by Respondent on:
06/06/09	677	Clean Peg Tube site with Wound Cleanser (WC), apply dressing ever day	Treatment Record
06/06/09	541	Clean S/T (skin tear) on right upper arm with WC (wound cleanser), apply steri-stips. Clean and monitor every day until healed.	Treatment Record
06/06/09	447	Dry protective dressing to right lateral malleolus and left middle foot every day	Treatment Record
06/06/09	447	Cleanse left foot with WC, change dressing to CA Alginate with silver, change dressing on plantar surface to Hydrogel	Treatment Record and Nurse's Note
06/06/09	490	Clean peg tube site with WC, apply Fenestrated foam dressing and secure with tape every day and as needed.	Treatment Record
06/06/09	490	Cleanse buttocks with saline, apply exuderm sacrum dressing ever day and as needed.	Treatment Record
06/06/09	265	Wet to dry dressing to left 2nd toe	Treatment Record

On June 8, 2009, a staff LVN observed that the dressings were dated and had not been changed since her shift on June 6, 2009. Respondent's conduct was deceptive, resulted in an inaccurate medical record, and was likely to injure residents in that failure to provide treatments as ordered could have resulted in non-efficacious treatment and/or the progression of clinical complications, including those associated with infection.

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),(1)(B),(1)(C),(1)(D),(1)(M)&(2)(A) and 217.12(1)(A),(1)(B),(1)(C),(4)&(6)(A).

CHARGE III.

On or about June 7, 2009, while employed with Excel Staffing Service, Greensboro, North Carolina, and on assignment at Lampstand Health and Rehab of Bryan, Bryan, Texas, Respondent failed to assess the skin tear of Resident 662 and perform the wound treatment, as ordered. Respondent's conduct was likely to injure the resident from non-efficacious treatment and/or progression of clinical complications, including those associated with infection.

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),(1)(B),(1)(C),(1)(D),(1)(M)&(2)(A) and 217.12(1)(A),(1)(B)&(4).

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 § 301.461, TEX. OCC. CODE ANN. 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 Guidelines for Lying and Falsification, and for Fraud, Theft and Deception, 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 18th day of August, 2010.

TEXAS BOARD OF NURSING

R. Kyle Hensley

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103
Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701

Re: Permanent Certificate Number 206554
Issued to Roselma Ersilia Hendrix
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9 day of 11, 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):

Roselma Ersilia Hendrix
5103 Regal Pine Way
Friendswood, Texas 77546

BY: Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD