BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 158822	§	
issued to IRENE SOPHIA EDLER	§	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

An investigation by the Texas Board of Nursing, hereinafter referred to as the Boa produced evidence indicating that IRENE SOPHIA EDLER, Vocational Nurse License Number 158822, hereinafter referred to as Respondent, may have violated Section 301.452 (b)(10)&(13), Texas Occupations Code.

An informal conference was held on March 30, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel. Respondent was represented by Elizabeth L. Higginbotham, Attorney at Law. In attendance were Mary Beth Thomas, PhD, RN, Director, Executive Director's Designee; Kyle Hensley, Assistant General Counsel; Nikki Hopkins, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Tamika Rose, Investigator; Dominique Mackey, Investigator; and Nancy Krause, RN, Investigator.

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.

2. Respondent waived notice and hearing, and consented 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 Del Mar College, Corpus Christi, Texas on August 15, 1996. Respondent was licensed to practice vocational nursing in the State of Texas in September 16, 1996.

5. Respondent's nursing employment history includes:

8/1996 - 5/1998	Staff Nurse	Spohn Hospital Shoreline Corpus Christi, Texas
5/1998 - 12/2000	Charge Nurse	People's Nursing Center Rockport, Texas
12/2000 - 1/2003	Charge Nurse	Sinton Manor Nursing Home Sinton, Texas
1/2003 - 4/2007	Charge Nurse	Lexington Place Nursing and Rehab. Aransas Pass, Texas
4/2007 - 5/2007	Unknown	
6/2007 - 11/2008	Charge Nurse	Gulf Point Plaza Rockport, Texas
12/2008 - Present	Staff Nurse	Island Home Health Care, Inc. Port Aransas Pass, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Lexington Place Nursing and Rehab, Aransas Pass, Texas, and had been in this position for four (4) years and three (3) months.

7. On or about April 19, 2007, while employed as a Staff Nurse with Lexington Place Nursing and Rehab, Aransas Pass, Texas, Respondent signed out controlled substances for patients but inaccurately documentedthe administration of narcotic medications in patients' medical records as follows:

MEDICATION ADMINISTRATION RECORD:

PATIENT	TIME	MEDICATION	NOTE
MR#91054	08:00AM	LORAZEPAM 0.5MG TAB	SIGNED AS GIVEN BY RESPONDENT BUT FOUND IN MED CART AT 11:50
MR#91054	12:00NOON	LORAZEPAM 0.5MG TAB	SIGNED AS GIVEN BY E.D. AFTER COUNTED AT 11:50
MR#25029	12:00NOON	HYDROCODONE 500MG TAB	SIGNED AS GIVEN BY R.P.AFTER COUNTED AT 11:50

Although Respondent documented these medications as being signed out at 08:00am and 12:00 noon, and administered at 08:00, the Director of Nursing found the medications in the medication cart at 11:50am. Respondent's conduct was deceiving to subsequent caregivers who would rely on her documentation to provide ongoing patient care. Additionally, Respondent's failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she signed for the medications as instructed by the Corporate Nurse who was taking the medication cart during a mock survey. Respondent states when told by the Corporate Nurse that the Ativan 0.25mg was still in the blister pack, she had explained that the 0.25mg was a scored pill, half of a 0.5mg pill, and was very difficult to see and had a tendency to break in half or crush when punched out. Respondent states she was sure she had administered the medications to the patient.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §§217.11(1)(B),(1)(C)&(1)(D) and 217.12(1)(B)&(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 158822, heretofore issued to IRENE SOPHIA EDLER, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, 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 is 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 Texas Board of Nursing 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 medication administration. 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. The didactic portion of this course shall be a

minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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.*

(3) 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.*

(4) 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 to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17 day of June, 2010.

Irene Sophia Edler

IRENE SOPHIA EDLER, RESPONDENT

Sworn to and subscribed before me this 17 day of June, 2010.

SEAL

SHARON SOUTHERN
Notary Public
STATE OF TEXAS
My Comm. Exp. May. 14, 2013

Sharon Southern

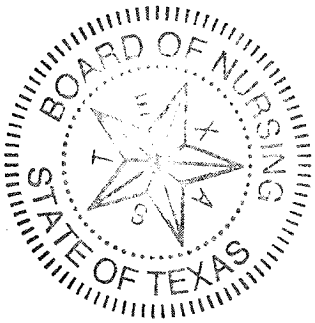
Notary Public in and for the State of Texas

Approved as to form ~~and substance.~~

Elizabeth L. Higginbotham, Attorney for Respondent

Signed this 17th day of June, 2010.

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 17th day of June, 2010, by IRENE SOPHIA EDLER, Vocational Nurse License Number 158822, and said Order is final.



Effective this 21st day of June, 2010.

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