BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

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

In the Matter of Registered Nurse	§	
License Number 231691	§	AGREED
issued to DEBRA STONE ROBINSON	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referre to as the Board, considered the matter of DEBRA STONE ROBINSON, Registered Nurse Licen Number 231691, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1), (10) and (13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on November 20, 2005, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 representation by counsel, informal conference, 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 Methodist Hospital, Lubbock, Texas, on June 1, 1974. Respondent was licensed to practice professional nursing in the State of Texas on September 16, 1974.

5. Respondent's professional nursing employment history includes:

9/74 - 1/89	Unknown	
1/89 - 7/89	Staff Nurse	Methodist Hospital Lubbock, Texas
7/89 - 9/96	Staff Nurse/Charge Nurse	St. Mary's Hospital Lubbock, Texas
7/98 - 9/99	Field Nurse	Covenant Home Health Lubbock, Texas
9/99 - 5/05	Staff Nurse	Covenant Surgicenter Lubbock, Texas
6/05 - present	Unknown	

6. On December 9, 2003, Respondent received the sanction of a Warning with Stipulations by the Board of Nurse Examiners for the State of Texas. A copy of the December 9, 2003, Agreed Order, Findings of Facts, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On or about December 20, 2003, while employed with Covenant Surgicenter, Lubbock, Texas, Respondent failed to comply with the Agreed Order issued to her on December 9, 2003, by the Board of Nurse Examiners for the State of Texas. Noncompliance is the result of her failure to comply with Stipulation Number Four (4) of the Agreed Order which states, in pertinent part:

> (4) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form, which is provided by the Board, to the Board's office within ten (10) days of receipt of this Order....

8. On or about March 31, 2004, June 30, 2004, September 30, 2004, and December 31, 2004, while employed with the aforementioned facility, Respondent failed to comply with the Agreed Order issued to her on December 9, 2003, by the Board of Nurse Examiners for the State of Texas. Noncompliance is the result of her failure to comply with Stipulation Number Five (5) of the Agreed Order which states, in pertinent part:

> (5) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing....These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for one (1) year of employment as a professional nurse.

9. On or about December 10, 2004, while employed with the aforementioned facility, Respondent failed to comply with the Agreed Order issued to her on December 9, 2003, by the Board of Nurse Examiners for the State of Texas. Noncompliance is the result of her failure to comply with Stipulation Number Two (2) of the Agreed Order which states, in pertinent part:

> (2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a Texas course in nursing jurisprudence....

10. On or about May 31, 2005, while employed with the aforementioned facility, Respondent failed to collaborate with the physician when she took patient #0018585 to the Operating Room without waiting for the physician to mark the patient's operative site. Patient #0018585 was admitted to the facility for an excision of a carcinoma left lateral and medial forehead but a right lateral medial carcinoma was removed.

11. Respondent states she did give the Notification of Employment form to her Director and it was misplaced. Respondent states she misunderstood the quarterly reports. She thought she could send the reports at the time she submitted the completion of the nursing jurisprudence course.

12. On May 23, 2005, Respondent completed a nursing jurisprudence course approved by the Board.

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 a violations of Section 301.452(b)(1), (10) and (13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(P), and §217.12(11)(B).

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 231691, heretofore issued to DEBRA STONE ROBINSON, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED that the stipulations outlined and required herein SHALL supercede all previous stipulations required by any Order entered by the Board of Nurse Examiners.

IT IS FURTHER AGREED AND ORDERED, subject to ratification by the Board of Nurse Examiners, that Registered Nurse License Number 231691, previously issued to DEBRA STONE ROBINSON, to practice professional nursing in Texas is hereby SUSPENDED and said suspension is enforced until Respondent completes the following:

(1) Immediately deliver Permanent Certificate Number 231691, previously issued to DEBRA STONE ROBINSON, to the office of the Board of Nurse Examiners for the State of Texas upon receipt of this Order.

(2) RESPONDENT SHALL pay a monetary fine in the amount of eleven hundred ($1100.00) dollars. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(3) RESPONDENT SHALL successfully complete a course in nursing ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. 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) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 can be found on the Board's website* www.bne.state.tx.us *(under BNE events).*

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice professional nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order the Respondent may not work outside the State of Texas pursuant to a multistate licensure 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 IF FURTHER AGREED, upon verification of successful completion of the aforementioned stipulations, the Suspension will be stayed, and RESPONDENT will be placed on probation for two (2) years with the following agreed terms of probation:

(4) 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 Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

(5) RESPONDENT SHALL pay all re-registration fees, if applicable, and be issued a license to practice professional nursing in the State of Texas with the appropriate notation.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH

OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(6) RESPONDENT SHALL notify all future employers in professional nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a professional nurse.

(8) For the first year of employment as a Registered Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as RESPONDENT and readily available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising RN is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising RN shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(10) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for two (2) years of employment as a professional nurse.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 13th day of December, 2005.

Debra Robinson

DEBRA STONE ROBINSON, Respondent

Sworn to and subscribed before me this 13th day of December, 2005

SEAL

MARCY HARDY
Notary Public
State of Texas
My Commission Expires
October 31, 2008

Marcy Hardy

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 13th day of December, 20 05, by DEBRA STONE ROBINSON, Registered Nurse License Number 231691, and said Order is final.

Effective this 19th day of January, 20 06.

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
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In the Matter of License Number 231691	§	AGREED
issued to DEBRA STONE ROBINSON	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of DEBRA STONE ROBINSON, License Number 231691, 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 conference, notice and hearing, and agreed to the entry of this Order offered on September 28, 2003, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 representation by counsel, informal conference, 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 Methodist Hospital School of Nursing, Lubbock, Texas, in June 1974. Respondent was licensed to practice professional nursing in the State of Texas on September 16, 1974.

5. Respondent's professional employment history includes:

09/74 - 01/89		Unknown
01/89 - 07/89	Staff RN Nursery Neonatal ICU	Methodist Hospital Lubbock, Texas
07/89 - 09/96	Staff RN/Charge RN Pediatric ICU	St. Mary's Hospital Lubbock, Texas
07/98 - 09/99	RN - Field Nurse Skilled Nursing Visits	Covenant Home Health Lubbock, Texas
09/99 - Present	Staff RN Operating Room/Circulator	Covenant Surgicenter Lubbock, Texas

6. At the time of the incident, Respondent was employed as a Staff Nurse in the Surgical Unit with Covenant Surgicenter, Lubbock, Texas, and had been in this position for three (3) years and nine (9) months.

7. On or about June 4, 2003, while employed with Covenant Surgicenter, Lubbock, Texas, Respondent prepped and draped the left foot of Patient Medical Record Number 0047298. Subsequently, surgery was performed on the left foot. However, Patient Medical Record Number 0047298 had been admitted for a McBride Bunionectomy of the right foot. The correct foot (the right foot) had been marked and initialed by the physician.

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, 22 TEX. ADMIN. CODE §217.11(21), and 22 TEX. ADMIN. CODE §217.12(3).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 231691, heretofore issued to DEBRA STONE ROBINSON, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a Warning with Stipulations, 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 Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional 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 multistate licensure 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 deliver the wallet-size license issued to DEBRA STONE ROBINSON, to the office of the Board of Nurse Examiners within ten (10) days from date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete a Texas course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing

Practice Act, standards of practice, and documentation of care. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(3) RESPONDENT SHALL notify each present employer in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this

Order. RESPONDENT SHALL notify all future employers in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(4) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a professional nurse.

(5) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for one (1) year of employment as a professional nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 24 day of October, 2003

Debra Stone Robinson

DEBRA STONE ROBINSON, Respondent

Sworn to and subscribed before me this 24th day of October, 2003.

SEAL

Peggy J. Breunig

Notary Public in and for the State of Texas

PEGGY J. BREUNIG
MY COMMISSION EXPIRES
March 19, 2007

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 24th day of October, 2003, by DEBRA STONE ROBINSON, License Number 231691, and said Order is final.

Effective this 9th day of December, 2003.

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