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Patricia A. Parnham
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 681899 § AGREED
issued to DOUGLAS GARRETT DICKEY § ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of License Number 681899, issued to DOUGLAS GARRETT DICKEY, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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, 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 an Associate Degree in Nursing from Victoria College, Victoria, Texas, on May 11, 2001. Respondent was licensed to practice professional nursing in the State of Texas on October 9, 2001.
5. Respondent's complete professional employment history is unknown.
6. At the time of the initial incident, Respondent was employed as a Staff Nurse in the Medical/Surgical Department at Central Texas Medical Center, San Marcos, Texas, and had been in this position for one (1) year and eight (8) months.

7. During July 2004, while employed with Central Texas Medical Center, San Marcos, Texas, Respondent withdrew narcotics from the Pyxis Medication Dispensing System, but failed to completely document the administration of the medications in the patient medical records, as follows:

DATE	TIME	PATIENT	PHYSICIAN ORDER	PHARMACY RECORD	MAR	NURSES' NOTES	WASTAGE
7/10/04	1430	881350	Demerol 25-50 mg IM q 4 hrs for pain	Demerol 50mg	No documentation	No documentation	None
7/11/04	0731	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 50mg	No documentation	No documentation	None
7/11/04	1155	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 25mg	No documentation	No documentation	None
7/11/04	1156	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 25mg	No documentation	No documentation	None
7/11/04	1351	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 25mg	No documentation	No documentation	None
7/11/04	1351	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 50mg	No documentation	No documentation	None
7/11/04	1415	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 50mg	No documentation	No documentation	None
7/11/04	1416	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 50mg	No documentation	No documentation	None
7/11/04	1607	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 25mg	No documentation	No documentation	None
7/11/04	1607	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 50mg	No documentation	No documentation	None
7/11/04	1730	881350	Demerol 25-50mg IM q 4 hrs for pain	Demerol 50mg	No documentation	No documentation	None
7/10/04	1812	889723	Morphine 4mg Q 3 hrs prn pain	Morphine 4mg	No documentation	No documentation	None
7/11/04	0730	881435	Demerol 25mg IV q 3-4 prn pain	Demerol 50mg	No documentation	No documentation	None
7/11/04	1716	970498	Demerol 12.5mg IM prn pain	Demerol 25mg	No documentation	No documentation	None
7/11/04	1721	970498	Demerol 12.5mg IM prn pain	Demerol 50mg	No documentation	No documentation	None
7/11/04	1900	970498	Demerol 12.5mg IM prn pain	Demerol 50mg	No documentation	No documentation	None

DATE	TIME	PATIENT	PHYSICIAN ORDER	PHARMACY RECORD	MAR	NURSES' NOTES	WASTAGE
7/16/04	1424	880627	Morphine 4mg IV q 4 hrs prn severe pain	Morphine 4mg	No documentation	No documentation	None
7/16/04	1554	880627	Demerol 25mg every 4 hr prn	Demerol 25mg	No documentation	No documentation	None
7/16/04	1608	880267	Demerol 25mg every 4 hr prn	Demerol 25mg	No documentation	No documentation	None
7/16/04	1629	880267	Demerol 25mg every 4 hr prn	Demerol 25mg	No documentation	No documentation	None
7/16/04	1808	880627	Demerol 25mg every 4 hr prn	Demerol 50mg	No documentation	No documentation	None
7/16/04	1930	880627	Demerol 25mg every 4 hr prn	Demerol 100mg	No documentation	No documentation	None
7/17/04	0933	880627	Demerol 25mg every 4 hr prn	Demerol 25mg	No documentation	No documentation	None
7/17/04	1022	880627	Demerol 25mg every 4 hr prn	Demerol 50mg	No documentation	No documentation	None
7/17/04	1436	880627	Demerol 25mg every 4 hr prn	Demerol 25mg	No documentation	No documentation	None
7/17/04	0729	882492	Demerol 25mg every 4 hr prn IV	Demerol 50mg	No documentation	No documentation	None
7/17/04	0818	882492	Demerol 25mg every 4 hr prn IV	Demerol 50mg	No documentation	No documentation	None
7/17/04	1223	882492	Demerol 25mg every 4 hr prn IV	Demerol 50mg	No documentation	No documentation	None
7/17/04	1702	882492	Demerol 25mg every 4 hr prn IV	Demerol 50mg	No documentation	No documentation	None
7/17/04	1740	882492	Demerol 25mg every 4 hr prn IV	Demerol 25mg	No documentation	No documentation	None
7/18/04	0943	882492	Demerol 25mg every 4 hr prn IV	Demerol 50mg	No documentation	No documentation	None
7/18/04	1445	882492	Demerol 25mg every 4 hr prn IV	Demerol 50mg	No documentation	No documentation	None
7/18/04	1005	882654	Demerol 25mg IV q 3-4 hrs prn pain	Demerol 25mg	No documentation	No documentation	None

DATE	TIME	PATIENT	PHYSICIAN'S ORDER	PHARMACY RECORD	MAR	NURSES' NOTES	WASTAGE
7/25/04	0718	883492	Demerol 12.5-25mg IVP Q 2 h prn pain	Demerol 50mg	No documentation	No documentation	None
7/25/04	0837	883492	Demerol 12.5-25mg IVP Q 2 h prn pain	Demerol 100 mg	No documentation	No documentation	None
7/25/04	1638	883492	Demerol 12.5-25mg IVP Q 2 h prn pain	Demerol 75mg	No documentation	No documentation	None
7/25/04	1832	883492	Demerol 12.5-25mg IV { Q 2 h prn pain	Demerol 75mg	No documentation	No documentation	None
7/25/04	1754	884090	Demerol 25mg q 4-6 hrs IV prn	Demerol 75mg	No documentation	No documentation	None
7/28/04	1152	884061	Demerol 25mg IV q 3-4 prn	Demerol 50mg	No documentation	No documentation	None
7/28/04	1406	884061	Demerol 25mg IV q 3-4 prn	Demerol 50mg	No documentation	No documentation	None
7/28/04	1503	884061	Demerol 25mg IV q 3-4 prn	Demerol 50mg	No documentation	No documentation	None
7/28/04	1755	884061	Demerol 25mg IV q 3-4 prn	Demerol 50mg	No documentation	No documentation	None
7/29/04	0810	884061	Demerol 25mg IV q 3-4 prn	Demerol 50mg	No documentation	No documentation	None
7/29/04	0905	884061	Demerol 25mg IV q 3-4 prn	Demerol 50mg	No documentation	No documentation	None
7/28/04	1342	884448	Demerol 12.5mg IV q 3 hrs prn pain	Demerol 25mg	No documentation	No documentation	None
7/28/04	1659	884448	Demerol 12.5 mg IV q 3 hrs prn pain	Demerol 25mg	No documentation	No documentation	None
7/28/04	1226	884669	Demerol 25mg IV q 4 hrs prn pain	Demerol 50mg	No documentation	No documentation	None
7/29/04	0954	884669	Demerol 25mg IV q 4 hrs prn pain	Demerol 75mg	No documentation	No documentation	None
7/29/04	1031	884669	Demerol 25mg IV q 4 hrs prn pain	Demerol 75mg	No documentation	No documentation	None
7/29/04	1152	884559	Demerol 25mg IV q 4 hrs prn pain	Demerol 50mg	No documentation	No documentation	None
7/29/04	1252	884669	Demerol 25mg IV q 4 hrs prn pain	Demerol 50mg	No documentation	No documentation	None

DATE	TIME	PATIENT	PHYSICIAN'S ORDER	PHARMACY RECORD	MAR	NURSES' NOTES	WASTAGE
7/29/04	1321	884669	Demerol 25mg IV q 4 hrs prn pain	Demerol 25mg	No documentation	No documentation	None
7/28/04	1504	884073	Demerol 25mg IV q 2-3 h prn	Demerol 50mg	No documentation	No documentation	None
7/28/04	1545	884073	Demerol 25mg IV q 2-3 h prn	Demerol 50mg	No documentation	No documentation	None
7/28/04	1616	884073	Demerol 25mg IV q 2-3 h prn	Demerol 50mg	No documentation	No documentation	None
7/28/04	1910	884073	Demerol 25mg IV q 2-3 h prn	Demerol 50mg	No documentation	No documentation	None

Respondent's conduct was likely to injure the patients in that subsequent caregivers would rely on his documentation to further medicate the patients which could result in over-medication.

8. On or about February 25, 2005, the Board received information that Respondent, on or about January 25, 2005, through January 27, 2005, while employed with Health Force Home Health, Victoria, Texas, submitted skilled nursing visit notes for seven (7) patients for whom he did not visit. Respondent's conduct was likely to injure the patients in that he provided false documentation which subsequent caregivers would rely on to make decisions regarding the patients' medical care.
9. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license to practice professional nursing in the State of Texas.
10. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
11. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(4) and (20); and 22 TEX. ADMIN. CODE §217.12(1)(B)(C) and (6)(A)(H), as amended September 28, 2004.
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against License Number 681899, heretofore issued to DOUGLAS GARRETT DICKEY, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of License Number 681899, heretofore issued to DOUGLAS GARRETT DICKEY, to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to DOUGLAS GARRETT DICKEY, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

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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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 15th day of April, 2005.

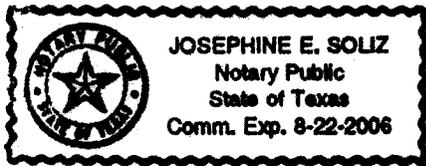
Douglas Garrett Dickey
DOUGLAS GARRETT DICKEY, Respondent

Sworn to and subscribed before me this 15th day of April, 2005.

SEAL

Josephine E. Soliz

Notary Public in and for the State of TEXAS



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of License Number 681899, previously issued to DOUGLAS GARRETT DICKEY.

Effective this 19th day of April, 2005.



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