

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

NCSBN Launches a New Online Course for Member Boards: NCSBN Interactive announces the latest addition to its interactive catalog of self-paced, online courses for continuing education: Governing Responsibly. This course was developed to provide member boards with an introduction to the purpose and work of a BON, and an overview of the responsibilities of a board member. The material was written to assist the new board member transition into his/her role as a BON regulator.

NCSBN and the National Forum of State Nursing Workforce Centers (The Forum) Release National Nursing Workforce Survey of Registered Nurses (RNs): This new study recently published as a supplement to the Journal of Nursing Regulation (JNR) provides a comprehensive snapshot of the U.S. RN workforce in 2013. For the past 30 years, the Health Resources and Services Administration (HRSA) collected national workforce data, conducting a National Sample Survey of Registered Nurses every four years. However, as of 2008, HRSA no longer conducts the survey. NCSBN and The Forum stepped in to fill this void, collecting workforce data between January and March 2013. Data allow for identification and analysis of trends in the education, age, employment, and other characteristics of the existing supply of RNs in comparison to past HRSA studies, where applicable.

NCSBN Transitions to a Paperless Exam Process: NCSBN is implementing paperless Authorization to Test Letter as part of a larger paperless NCLEX program initiative. Beginning January 1, 2014, the paper copy of the ATT letter will no longer be required. (See **Attachment A**).

California Supreme Court Rules that Unlicensed School Personnel Can Administer Insulin: Last week, the California Supreme Court unanimously ruled that trained unlicensed school personnel could administer insulin and other prescription medication to students. According to the Los Angeles Times, nearly 14,000 students in California have diabetes, many requiring insulin injections at scheduled times and when blood glucose levels fluctuate unpredictably. California schools, however, only have one nurse for every 2,200 students, which makes access to services such as administration of medication more difficult. In response to the ruling, nursing advocates argue that the law sets a disturbing precedent and caution against unintended harm that could result from well meaning volunteers who erroneously administer insulin to students. If wrongly administered, they argued, insulin can cause serious illness or death. It remains uncertain whether the state legislature will pass legislation establishing standards of training for unlicensed personnel.

<http://www.latimes.com/news/local/la-me-school-nurses-20130813,0,249715,print.story>

Medicine, Physical Therapy and Emergency Medical Personnel Groups Explore a Licensure Compact: The Federation of State Medical Boards, the Federation of State Boards of Physical Therapy and the National Association of State EMS Officials in conjunction with the Council on State Governments are exploring an interstate compact for doctors, physical therapists and EMS personnel.

Increasing Number of Males Seek Careers in Nursing: USA Today recently published an article exploring issues related to gender and the nursing profession. According to the U.S. Census Bureau, the number of male nurses has tripled in three decades, increasing from 2.7 percent in 1970 to 9.6 percent in 2011. Experts suggest that the social stereotypes associated with nursing as a woman's profession are disappearing as economic benefits are attracting more males to the field. During the most recent recession, many industries lost jobs while the number of health care industry positions increased. Interestingly, male nurses tend to earn more money than female nurses in the same roles. Female nurses working full-time, year-round earn 93 cents for every dollar men earn as registered nurses.
<http://www.usatoday.com/story/news/nation/2013/07/10/men-join-nursing-field-as-stigma-fades/2504803/>

STATE ISSUES

Health Professions Council: The Health Professions Council (HPC) met on September 9, 2013 for its regular quarterly meeting. The Department of Information Resources (DIR) presented an overview of their plan to review all agency legacy IT systems. This review is required by HB 2738 that passed during the 83rd Legislative Session. DIR will report their findings to the Legislature. HPC has hired a new Web Administrator who will provide web support to the Board of Nursing. His name is Dan Fletcher and staff have met with Mr. Fletcher to discuss priorities. The Council discussed various legislation that passed in the 83rd Legislative Session and impact on the health professions boards. Members received reports on the budget and information technology services provided to agencies by HPC staff.

BOARD ISSUES

BON Bulletin Articles : The October issue of the *Board of Nursing Bulletin* contains: 1.) an article on Senate Bill 406 related to APRNs; 2.) an article on the use of checklists in healthcare; and 3.) a summary of key legislation impacting nursing.

Board Retreat: The Board Retreat will be held on Wednesday, October 16th at the Hilton Garden Inn. The agenda will include a presentation on Legislative Process by Joe Gagan and a Team Building session facilitated by Corky Hilliard.

Former Board President Received NCSBN Award: Dr. Linda Rounds, former Board Member and President of the Texas Board of Nursing, received the NCSBN Elaine Ellibee Award at the August Annual Meeting of NCSBN. This is a new award that is named in honor of the first President of NCSBN. Ms. Ellibee passed away November 17, 2012 and her son and daughter appeared for a luncheon honoring their mother during the meeting.

AGENCY ISSUES

Staff: John Vanderford was hired as a law clerk on September 1, 2013. He is a 2013 graduate of the Baylor Law School and completed his undergraduate studies at St. Edwards University. He was a law clerk last year as well. John is a native Austinite. He expects his Bar results in early November 2013. Gayle Varnell, PhD, RN, CPNP-PC was hired as a Education Nursing Consultant on October 1, 2013. She has been a board school site visitor for the past year and is knowledgeable about the Board's role in regulating nursing education. Dr. Varnell will work from her home in Tyler with regularly scheduled days in the office as well. Dr. Varnell was the first Pediatric Nurse Practitioner in Austin. She entered nursing school at UT Austin when she was 17. She served as Assistant Dean for Advanced Practice Nursing at U.T.

Tyler for 17 years and spent another 16 years on faculty at El Centro and Brookhaven College. She and her husband have an exotic deer farm in Larue, Texas.

Becky Schwab, RN, was hired on August 1, 2013, as an Investigator III. Becky received a Baccalaureate Degree in Nursing from West Texas A&M University, Canyon, Texas, in 1977. Becky joins the agency with 36 years of nursing experience, including 19+ years in telephone triage as well as having been a nurse manager for an assisted living facility and a Medicaid approval reviewer for home health, DME, and private duty nursing services. Gary Sibert, RN, was hired on September 3, 2013, as an Investigator III. Gary completed almost 22 years of service in the US Army before retiring as a Major in 1998. He became a paramedic in 1998 and decided to pursue a career in nursing. Gary received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, in 2001 and joins the agency with 11 years of nursing experience, including 5 years in Neonatal ICU, 2 years in Med/Surg ICU, and most recently 2 years in hospice care.

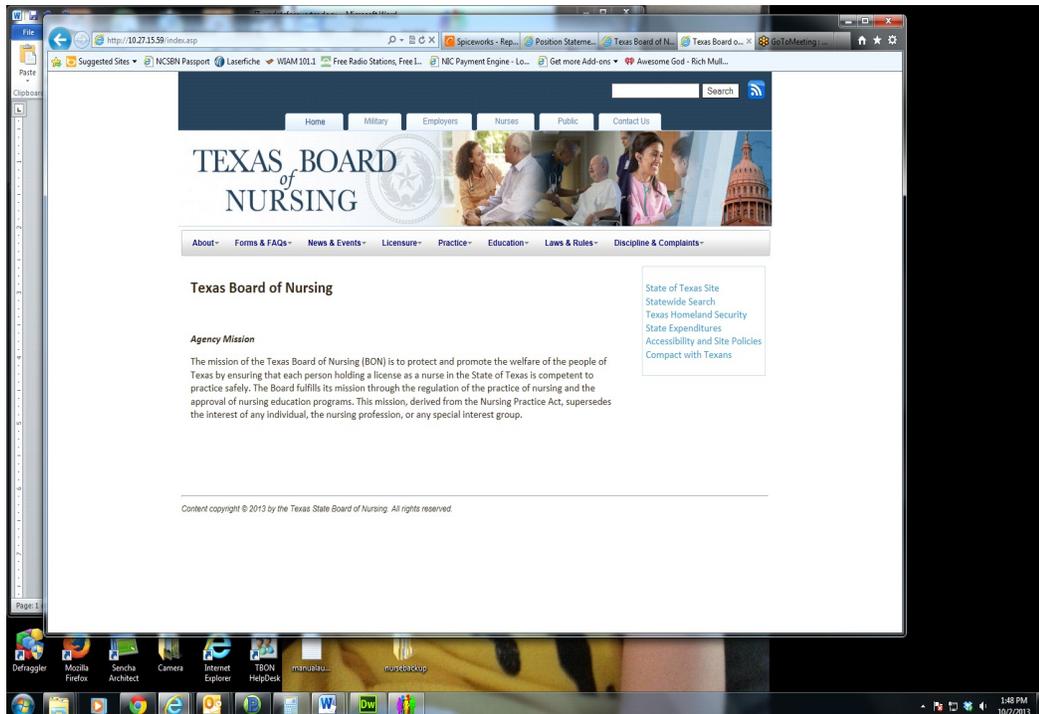
Nursing Jurisprudence Examination: The Jurisprudence examination required for initial licensure by Texas Occupations Code Section 301.252, License Application, was implemented in September 2008. Those applying for initial licensure by exam or endorsement **after** September 1, 2008 must pass the Jurisprudence Exam in order to be eligible for licensure. Also, pursuant to recent rule amendments, nurses who have not been current in Texas for four or more years, must complete the Jurisprudence Examination prior to reinstatement. Attached are statistics for Jurisprudence exam takers for past 3 fiscal years including through the fourth quarter of Fiscal Year 2013. (**See Attachment B**).

Staff has addressed the issue of increasing security of the jurisprudence examination. Staff entered a contract with a vendor who moved the exam to a secure website and added security validation questions to the exam. A \$25 fee was added to the exam and endorsement fee to cover costs associated with hosting the exam. This vendor hosts other Texas agency jurisprudence examinations.

National Council of State Boards of Nursing (NCSBN) Projects: Phase Two of the Data Integrity Project began in June 2012. This phase includes uploading disciplinary orders to Nursys, making these orders readily available to other Boards of Nursing. This project was completed September 30, 2013. There were some remaining orders that are very old and difficult to research and isolate. Staff will develop a plan to address these older orders. Staff sought approval from NCSBN for a new project to scan all declaratory orders into our laserfiche electronic storage system. This proposal was approved in September.

Tour of Texas: Mark Majek will conduct a tour of 20 sites throughout the state over the next two months. Topics to be discussed include recent legislation affecting Criminal Background Checks for students, the new fee schedule for the NCLEX application, the Online Affidavit of Graduation process, NCSBN exam initiatives and national research updates. Schools of Nursing and their clinical partners are invited to attend. For the schedule, see **Attachment C**.

Information Technology Updates: Staff installed and implemented a Virtual Server environment. The Virtualized Server systems provides for multiple servers to be installed and run on a single physical server. This new system provides the BON with many benefits and is the first step to setting up a remote disaster recovery site. It will decrease equipment costs, because now all the servers can operate on two physical servers instead of multiple servers which need their own hardware. And it allows for new servers to be brought up in a matter of hours instead of days. Staff are working on adding the content and the final design changes to the new BON website. Following is a screen shot of the new homepage for the TBON



Staff are working with NCSBN to implement an automated system reports of APRN and Temporary Licensure information.

Website: The following are changes that have been made to the website since the last Board Report.

- Posted Registered Nurses Professional Practice Accountability article under the news section.
- Posted many new Proposed Rule Changes and rule hearings on the website.
- Updated FAQ to reflect 15 day processing for name changes.
- Posted NPAC agenda on the website.
- Posted September 25 Delegation Task Force Agenda –Chapter 225 meeting
- New webinars created and posted under hidden links for nursing
 - Nursing Peer Review- <https://www.bon.texas.gov/webinar/index.htm>
 - Standards of Practice for the APRN <https://www.bon.texas.gov/webinar2/index.htm>
- Posted four new job postings have taken three down as the closing date has passed.
- Updated 2014 Board Meeting dates
- Updated the Board Statistics to reflect the September data
- Updated all the licensure applications and Endorsement Application pages to reflect the new background check procedure.
- Updated the Nursing Jurisprudence Examination (NJE) and NJE prep course page to connect to the new E-Strategies portals
- Updated Application, Renewal and Endorsement pages and forms to reflect the new rates.
- Update workshop location and dates.
- Updated Courses that Meet Board Stipulations
- Updated Approved RN school and LVN schools
- Posted September 10 Eligibility and Disciplinary Committee Meeting Agenda.
- Posted Imposter alert
- Posted Texas Board of Nursing Bulletin.

- Updated Notice of Disciplinary Action
- Added verification of Six-month Temporary Permit and Reactivation Applicants
- Updated the Nursing Education Guidelines
- Updated Nurse Practice Delegation FAQ
- Updated Delegation Resources Packet

Key Meetings and Presentations: by the Executive Director and Staff since the last Board meeting. (Does not include internal meetings with staff) .

Executive Director

Meeting: Presentation on Electronic Medical Records, Seton Family of Hospitals, July 24, 2013, Austin.

Meeting: Department of Aging and Disability Services/Board Of Nursing Consumer Direction Workgroup Meeting, July 26, Austin.

Conference Call: with Dr. Susan Reinhard, AARP to discuss nursing care in independent living environments, July 31, 2013.

Meeting: Nurse Licensure Compact Administrators, August 13, 2013, Providence, Rhode Island.

Conference: NCSBN Delegate Assembly. August 13-16, 2013, Providence, Rhode Island.

Conference Call: Texas Team Education Subcommittee, August 19, 2013.

Conference Call: With Representatives of Texas Hospital Association Regarding Legislative Intent of SB 1191, Forensic Evidence Collection Continuing Education for Nurses, August 20, 2013.

Conference Call: NCSBN Executive Officer Forum Planning meeting, August 23, 2013.

Conference Call: Texas Team Practice Subcommittee, August 30, 2013.

Meeting: Health Professions Council (HPC) Quarterly Meeting, September 9, 2013, Austin.

Meeting: Texas Center for Nursing Workforce Studies Quarterly Meeting, September 11, 2013, Austin.

Conference: NCSBN Leadership Conference, September 17-19, Rapid City, SD.

Presentation by Webinar: BON Update: Follow up to the 83rd Legislative Session, Texas Nurses Association Annual Leadership Conference, September 20, 2013.

Meeting: Discipline Innovative Pilot Project, September 23, 2013, Austin.

Meeting: NCSBN Board of Directors, September 24-27, 2013, Chicago.

Meeting: Prescription Monitoring Workgroup, Department of Public Safety, October 3, 2013, Austin.

Conference Call: NCSBN Executive Officer Leadership Council meeting, October 15, 2013.

Director of Operations

Conference: Annual Meeting of the *State Human Resource Managers (SHRM) Association* , June 17-19, 2013, Chicago.

Meeting: New Dean and Directors Orientation, August 9, 2013,

Conference: NCSBN Delegate Assembly. August 13-16, 2013, Providence, Rhode Island.

Conference: NCSBN Leadership Conference, September 17-19, Rapid City, SD.

Director of Enforcement

Presentation: Council on Licensure, Enforcement and Regulation (CLEAR), NCIT Basic Investigator Training, August 12-14, 2013, Minneapolis, MN.

General Counsel

Presentation: Board of Nursing Current Rule Making Activities, Austin Bar Association, Administrative Law Division, September 18, 2013, Austin.

Presentation: SB 406 (APRNs), Austin Bar Association, Health Law Section, September 24, 2013, Austin.

Director of Nursing and Nursing Consultants

Meeting: Department of Aging and Disability Services/Board Of Nursing Internal Workgroup for LVN On-Call Pilot Meeting, July 26, Austin.

Presentation: TERCAP Face-to-Face Training, August 2, 2013, Austin.

Meeting: Texas Health Care Association, August 7, 2013, Austin.

Presentation: School Nurse Scope of Practice at Victoria College, August 8, 2013, Victoria.

Meeting: Representatives of the Coalition for Nurses in Advanced Practice regarding updates to the APRN Guide, August 8, Austin.

Presentation: Deans and Directors Meeting, August 9, 2013, Austin.

Presentation: Standards of Practice for the Advanced Practice Registered Nurse Webinar, August 14, 2013.

Meeting: NCSBN Delegate Assembly, August 14-16, 2013, Providence, Rhode Island.

Conference Call: Conference Call with Texas Pain Society, August 15, 2013.

Presentation: Golden Crescent Regional Emergency Care Conference, August 17, 2013, Victoria.

Conference Call: Texas Team Conference Education Subcommittee, August 19, 2013.

Meeting: Interagency Coordinating Council HIV/Hepatitis Meeting, August 21, 2013 Austin.

Conference Call: NCSBN Policy Call, August 21, 2013.

Conference Call: APIN Advisory Committee Conference Call, August 22, 2013, Austin.

Meeting: NCSBN Chair Orientation, August 26, 2013, Chicago.

Meeting: SB 1857 Advisory Committee Meeting, August 30, Austin

Presentation: Nursing Jurisprudence and Ethics Workshop, September 4-5, 2013, Arlington.

Meeting: Texas Center for Workforce Studies Advisory Committee Meeting, September 11, 2013 Austin.

Meeting: TPAPN Advisory Committee Meeting, September 13, 2013, Austin.

Meeting: Public Hearing on Proposed 22 Tex. Admin. Code, §222, September 13, 2013, Austin.

Meeting: Advanced Practice Nursing Advisory Committee, September 16, 2013, Austin.

Conference Call: NCSBN APRN Networking Call, September 1, 2013.

Presentation: BON Update: Follow up to the 83rd Legislative Session, Texas Nurses Association Annual Leadership Conference, October 10, 2013, San Antonio.

Meeting: Joint Meeting with Board Representative, the Texas Workforce Commission, and the Texas Higher Education Coordinating Board Meeting, September 16, 2013, Austin.

Meeting: Nursing Practice Advisory Committee Meeting, September 18, 2013, Austin.

Presentation: Social Media Misuse sponsored by TNA Region 8, September 19, 2013, Kerrville.

Meeting: Medicaid Telemedicine and Telehealth Advisory Committee, September 23, 2013, Austin.

Meeting: Discipline Innovative Pilot Project, September 23, 2013, Austin.

Meeting: Delegation Task Force Meeting, September 25, 2013, Austin.

Presentation: Second Annual Practice Matters Seminar, September 28, 2013, Galveston.

Presentation: DADS Waiver Survey and Certification for HCS and TxHmL Programs Unit Conference, October 7, 2013, Austin.

Meeting: NCLEX Exam Committee Meeting, October 7-9, 2013, Chicago.

Presentation: Safe Harbor Webinar, October 9, 2013.

Presentation: TNA Leadership Conference, October 9, 2013, San Antonio.

Presentation: Presentation to the Federation of State Boards of Physical Therapy on Mandatory Reporting, October 11, 2013, San Antonio.

Quarterly Statistics Where Executive Director Closed Cases in Compliance with Board Policy:

Case Resolution Report
June 1, 2013 through August 31, 2013

Type of Action	Total
No Jurisdiction	6
No Violation	4
No Action	1,362
Insufficient Evidence	135
Admonish	52
Without Prejudice	1,010
TPAPN Referrals	98
EEP Referrals	14
Corrective Actions	101
Totals	2,782

LVN DISCIPLINARY ORDERS

Time frame: June 1, 2013, through August 31, 2013

DISCIPLINARY	
52	<p>FINE WITH REMEDIAL EDUCATION</p> <p>48 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history</p> <ul style="list-style-type: none"> 1 Withdrew Kenalog from pharmacy without a valid physician's order and/or prescription 1 Accessed the SUNRISE portal and viewed medical records without authorization 2 Practiced nursing without a valid license
18	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Failed to adequately and completely document nursing care rendered; Failed to report to her Supervisor that she had received a verbal order for an antibiotic 1 Told a patient she was disgusting after disrobing in the dining room 1 Deferred judgment for Class B misdemeanor Criminal Mischief 1 Made unauthorized copies of medical records for four patients 1 Failed to perform Cardiopulmonary Resuscitation (CPR) on a patient 1 Deferred judgment for second degree felony Agg Assault w/ Deadly Weapon and convicted of class C misdemeanor Issuance of a Bad Check 1 Physically forced a patient to get out of his bed against his will 1 Inappropriately accessed multiple patients records 1 Communicated with a former resident through text messages within the two year post discharge that is prohibited 1 Convicted of misdemeanor Driving While Intoxicated and deferred judgment for Driving While Intoxicated 1 Deferred judgment for felony Theft >=\$1500 but <20K and misdemeanor Interference with Duties of Public Servant 1 Deferred judgment for Class A misdemeanor Resist Arrest-Search-Transportation 1 Failed to administer Colchicine 0.6mg PO to a patient as ordered 1 Engaged in a verbal interaction with a patient by calling her a "friggin liar" 1 Failed to update the medication administration documents correctly to reflect changes in medication orders 1 Misappropriated Vicodin belonging to a resident and gave it to another resident 1 Threatened a police officer after being stopped for speeding by stating that she "hoped he never came to the ER"...and..."You are taking care of me. I'm going to take care of you..." 1 Permitted emotional abuse and/or neglect and failed to ensure the safety of a patient
10	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Hospitalized for two weeks after attempted suicide 1 Convicted of two counts of Driving While Intoxicated 1 Misappropriated Morphine, Lortab, Percocet and Dilaudid; intemperate use of alcohol and Tramadol 1 Inappropriately withdrew all medications for her assigned patients at the beginning of shift; misappropriated narcotics from facility; intemperate use of Opiates 1 Intemperate use of Cocaine and Benzodiazepines 1 Convicted of Class A misdemeanor Attempted Possession of a Controlled Substance PG 1<1G 1 Convicted of three counts of Driving While Intoxicated 1 Non disclosure of misdemeanor Accessory to a Felony; verbally and abusive to a resident; Indicted on two counts of Fraudulent Possession of a Controlled Substance/Prescription - Schedule III/IV 1 Attended AA meetings and an outpatient counseling group 1 Intemperate use of Opiates and Cocaine; Misappropriated Vicodin, Oxycodone, Lyrica and Methadone

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VOLUNTARY SURRENDER

- 19 Submitted a statement voluntarily surrendering their license to practice nursing
- 1 On probation for two counts of state jail felony Endangering a Child
- 1 Withdrew Demerol and Dilaudid in excess frequently/dosage; failed to administer Dilaudid; misappropriation of Demerol and Dilaudid
- 1 Diagnosed and treated for a mental health condition that could result in an injury to a patient
- 1 Disclosed a substance abuse problem and mental health issues
- 2 On deferred probation for state jail felony Tampering With Governmental Record
- 1 Lacked fitness to practice that resulted in a positive drug screen for Alcohol, Amphetamine and Marijuana while on duty
- 1 On deferred probation for first degree felony Delivery of a Controlled Substance, namely Gamma Hydroxybutyric Acid and Methamphetamine
- 1 On deferred probation for Class A misdemeanor Attempted Endangering a Child
- 1 Telephonically communicated fraudulent prescriptions for Bactrim, Ultram, Hydrocodone, Norco, Phenergan, Amoxicillin, Cephalexin and Hycodan
- 1 Appeared impaired and exhibited slurred speech; being counseled regarding allegations of misappropriation of controlled substances
- 1 Convicted of felony Attempted Murder
- 1 On deferred probation for third degree felony Attempt to Commit Robbery by Threat
- 1 On Deferred probation for state jail felony offense of Security Execution of Document by Deception
- 8 Non-compliance with previous Board Order

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: June 1, 2013, through August 31, 2013

523	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 2 Non-disclosure of Criminal History 7 Denial of Licensure 1 Deferred Judgment for third degree felony Securing Execution of Document by Deception and misdemeanor Theft by Check 1 Convicted of state jail felony Possession of a Controlled Substance 1 Deferred judgment for misdemeanor Reckless Injury to a Child, Fail to Stop and Give Info and convicted of felony Theft \$500 - \$20,000 1 Convicted of felony Forgery 1 Diagnosed with Bipolar I, MRE Mixed 1 Convicted of misdemeanor Assault Bodily Injury, Possession of Marijuana and four counts of Theft by Check 1 Convicted of misdemeanor Aggregated Theft by Check, Deadly Conduct and Issuance of a Bad Check 1 Deferred judgment for state jail felony Forgery and misdemeanor Theft 1 Convicted of three counts of Theft 1 Convicted of Non-Support of Children 1 Checked self into a rehabilitation facility called Outcry in the Barrio 1 Convicted of felony Misprison of a Felony 1 Deferred judgment for misdemeanor Endangering/Abandoning a Child; convicted of Driving While Intoxicated 1 Letter was submitted by treating psychologist stating Petitioner should be actively involved in TPAPN 1 Deferred judgment for misdemeanor Possession of Marijuana and Possession of Drug Paraphernalia 1 Deferred judgment for misdemeanor Secure Execution of Document by Deception >=\$500 <\$1,500 1 Deferred judgment for state jail felony Possession of a Controlled Substance; convicted of misdemeanor Possession of Marijuana and Driving While Intoxicated 1 Deferred judgment for misdemeanor Tamper with Government Record 1 Successfully completed a six month outpatient treatment program 1 Convicted of two counts of Driving Under the Influence and one count Disorderly Conduct 1 Convicted of misdemeanor Driving While Intoxicated; admitted to a sobriety date of three months 1 Deferred judgment for misdemeanor Attempted Insurance Claim Fraud >= \$1500 < \$20K 1 Court martial for Larceny and Wrongful Disposition of Military Property 1 Convicted of first degree felony Possession of Cocaine with Intent to Deliver 4 to 200 Grams 1 Deferred judgment for third degree felony Failure to Stop and Render Aid 1 Convicted of misdemeanor Possession of Marijuana; deferred judgment for Assault - Bodily Injury and second degree felony Man/Del Controlled Substance PG 1 Deferred judgment for state jail felony Forgery Financial Instrument; convicted of misdemeanor Sale of Alcoholic Beverage to a Minor and Theft of Property >=\$50 <\$500 1 Deferred judgement for misdemeanor Theft of Property in the Amount of \$1,500 or more but less than \$20,000. 1 Convicted of misdemeanor Theft of Property and deferred judgment for two counts of Theft of Property 1 Convicted of felony Unlawful Imprisonment and misdemeanor Unlawful Imprisonment 1 Deferred judgment for felony Forgery and Aggravated Assault 2 Deferred judgment for state jail felony Evading Arrest/Detention Using Vehicle 1 Deferred judgment for misdemeanor Theft 50 - 500 and Terroristic Threat 1 Convicted of misdemeanor Fail to Stop and Give Info-Unattended Vehicle; and two counts of Driving While Intoxicated <p>479 No Grounds for Denial/Youthful Indiscretion</p>
22	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Disciplinary action taken by another Licensing Authority 1 Convicted of Fail to Identify Fugitive from Justice; Theft >=\$50 <\$500 and two counts of Prostitution; diagnosed with Bipolar Disorder 1 Convicted of felony Attempted Felony Theft and misdemeanor Criminal Mischief 3 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 16 No Grounds for Denial

LVN CORRECTIVE ACTION

Time frame: June 1, 2013, through August 31, 2013

54	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 10 Non disclosure of misdemeanor Theft 8 Non disclosure of misdemeanor Theft by Check 1 Non disclosure of misdemeanor Possession of Marijuana 15 Non disclosure of misdemeanor Driving While Intoxicated 2 Non disclosure of misdemeanor Reckless Driving 1 Non disclosure of misdemeanor Driving While Suspended 1 Non disclosure of misdemeanor Abuse Family 2 Non disclosure of misdemeanor Assault 1 Non disclosure of misdemeanor Making Alcohol Available to a Minor 1 Non disclosure of misdemeanor Theft of Government Property 1 Non disclosure of misdemeanor Obstructing Highway-Intoxication 3 Non disclosure of misdemeanor Assault Causes Bodily Injury Family Member 1 Non disclosure of misdemeanor Fail to Stop and Give Information 1 Non disclosure of misdemeanor Abandon/Endanger Child With Intent to Return 1 Non disclosure of misdemeanor Drug Paraphernalia and Public Intoxication 1 Non disclosure of misdemeanor Interfere with Duties of Public Servant 1 Non disclosure of state jail felony Theft of Property >=\$1500 <\$20K 1 Non disclosure of misdemeanor Criminal Trespass-Property 2 Practiced Nursing without a valid license
4	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Driving While License Suspended 1 Non disclosure of misdemeanor Driving While Impaired by Alcohol 1 Non disclosure of misdemeanor Operating Under the Influence of Liquor 1 Non disclosure of misdemeanor Driving Under the Influence of Alcohol or Controlled Substance
4	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Shoplifting 1 Non disclosure of misdemeanor UCW Club 1 Non disclosure of misdemeanor Theft >=\$50 <\$500 1 Non disclosure of misdemeanor Theft >=\$20 but <\$200

LVN DEFERRED DISCIPLINE

Time frame: June 1, 2013, through August 31, 2013

9	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none"> 1 Failed to report to the Board and/or ensure reporting to the Board in writing nurses who received substantive disciplinary action for practice issues 1 Failed to obtain a complete blood count laboratory as ordered 1 Failed to ensure that a patient received enteral feedings as ordered by the physician 2 Failed to notify physician and clarify an order to refer a patient to hospice as requested by guardian 1 Failed to document training received by staff members who provided care to a patient 1 Intended to administer Acetaminophen to patient but failed to read the medication label and erroneously administered Sudafed PE 1 Verbally inappropriate to laboring patient and her family 1 Failed to clean the equipment and/or document the equipment was cleaned; failed to measure the head circumference and/or document the measurement; failed to check the water and/or failed to check the water in the Mic-Key feeding tube balloon; failed to document and/or document the administration of Levetiracetam
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RN DISCIPLINARY ORDERS

Time frame: June 1, 2013, through August 31, 2013

DISCIPLINARY	
39	<p>FINE WITH REMEDIAL EDUCATION</p> <p>34 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history</p> <ul style="list-style-type: none"> 1 Failed to appropriately waste or return a tablet of Xanax 1 Removed Norco from the medication dispensing system but failed to document the administration; withdrew in excess and failed to follow wastage procedures 3 Practiced nursing without a valid license
22	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Told a patient she was disgusting after disrobing in the dining room 1 Deferred judgment for Class B misdemeanor Criminal Mischief 1 Threatened a police officer after being stopped for speeding by stating that she "hoped he never came to the ER"...and..."You are taking care of me. I'm going to take care of you..." 1 Made unauthorized copies of medical records for four patients 1 Accessed medical record of her boyfriend while not on duty which included providing patient care 1 Assigned an LVN to duties involving telephonic triage which were outside scope of practice 1 Received two Norco tablets instead one Norco tablet as documented 1 Failed to recognize or institute the appropriate nursing interventions by failing to obtain a hemacue reading 1 Observed receiving an inter muscular injection of Toradol while on duty 1 Deferred judgment for Class A misdemeanor Abandon Endanger Child w/ Intent to Return 1 Inaccurately and/or improperly document physician's orders for administration of Valium 1 Failed to ensure the correct dose of Sulfasalazine was ordered to an inmate 1 Disciplinary action taken by another Licensing Authority 1 Withdrew Hydrocodone but failed to follow the procedures for wastage; misappropriated Hydrocodone or failed to prevent the misappropriation 1 Withdrew medications but failed to follow the poly and procedures for wastage 1 Failed to collaborate appropriately with the physician after patient experienced a stroke 1 Failed to completely and accurately document nursing care 1 Exceeded scope of practice in that she wrote and signed transfer orders 1 Admitted accessing the medical record of a coworker in order to obtain emergency contact information 1 Took a picture of a patient's x-ray and posted it on Facebook 1 Issued prescriptions to patients and failed to include the name, address and telephone number of the delegating physician 1 Inappropriately accessed multiple patients records

66	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 33 Submitted a statement voluntarily surrendering license to practice nursing 1 Withdrew Demerol and Dilaudid in excess frequently/dosage; failed to administer Dilaudid; misappropriation of Demerol and Dilaudid 1 Administered Lasix and KlorCon to ER patient at 0730 when ordered for mid morning; administered Toradol 60 mg IM to ER patient instead of IV per physician's order; suffering from depression 1 Pled guilty to felony Conspiracy to Commit Health Care Fraud 1 On deferred probation for second degree felony Burglary of Habitation and misdemeanor Possession of Dangerous Drugs and Possession of a Controlled Substance PG 3 < 28g 1 Currently incarcerated for felony Possession of Visual depictions of Sexual Activities by Minors 1 Defrauded employer in the amount equal to or greater than \$159,814.24 through unauthorized bonuses and fraudulent checks 1 Intemperate use of Alcohol while on duty 1 Failed to document the administration of Ibuprofen 200mg; administered Albuterol and Atrovent via nebulizer instead of only Albuterol as ordered; inappropriately attempted to take a temporal artery temperature on the abdomen and back of a patient; left the intravenous catheter hub in the arm of a patient 1 Currently incarcerated for third degree felony Injury to Child/Elderly/Disable w/ Intent Bodily Injury 1 Failed to follow-up with weekly CWON assessments as ordered 1 Misappropriation of Meperidine and Meperidine 1 Lacked fitness to practice that resulted in a positive drug screen for Alcohol, Amphetamine and Marijuana while on duty 1 Appeared impaired and exhibited slurred speech; being counseled regarding allegations of misappropriation of controlled substances 11 Disciplinary action taken by another Licensing Authority 9 Non-compliance with previous Board Order
19	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Intemperate use of Cocaine and Benzodiazepines 3 Convicted of three counts of Driving While Intoxicated 1 Convicted of two counts of Driving While Intoxicated 1 Completed the Army Substance Abuse Program and was arrested for Driving While Intoxicated 1 Arrested for the state jail felony offense of Possession of a Controlled Substance PG 1 < 1G; asked for assistance for past Vicodin addiction 1 Deferred judgement for third degree felony offense of Possession of Controlled Substance PG 1 1-4 G 1 Engaged in intemperate use of Opiates 1 Withdrew Versed and Fentanyl for patient and replaced it with liquid medication with saline solution; misappropriated Versed and Fentanyl; intemperate use of Morphine, Oxycodone, Oxymorphone and Meprobamate 1 Intemperate use of Alcohol, Amphetamines, Hydrocodone and Hydromorphone 1 Attempted to pass unauthorized telephonically communicated prescriptions for Hydrocodone 1 Intemperate use of Alcohol and Cocaine; convicted of two counts of Driving While Intoxicated 1 Admitted to an alcohol abuse treatment center and subsequently diagnosed with Alcohol Dependency 1 Misappropriation of Norco, Hydrocodone and Ambien; intemperate use of Opiates and Benzodiazepine 1 Diagnosed with and sought treatment for chemical dependency to Opiates 1 When told she would be assigned to the Children's Unit she became distraught and said she did not want to work there and if she had cyanide she would feed it to the kids 1 Pending charge for felony Possession of a Controlled Substance - Methamphetamine 1 Withdrew Morphine and Hydromorphone in excess frequency of orders; misappropriated Morphine, Dilaudid and Hydromorphone; intemperate use of Morphine, Hydrocodone and Hydromorphone

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: June 1, 2013, through August 31, 2013

64	<p>ENDORSEMENTS</p> <ul style="list-style-type: none">4 Disciplinary action taken by another licensing authority1 Denial of Licensure1 Prior Disciplinary action taken by the Texas Board of Nursing1 Entered treatment with The Johns Hopkins Hospital, Center for Addiction; convicted of Driving While Intoxicated and three counts of Disorderly Conduct1 Convicted of two counts of Driving Under the Influence; diagnosed with Bipolar Disorder1 Convicted of felony Fleeing in a Vehicle Causing Danger1 Convicted of Failure to Obey Police Officer, and two counts of Passing Bad Checks1 Deferred judgment for Disorderly Conduct and two counts of Minor in Consumption4 Non disclosure of Criminal History on Application by Examination or Petition for Declaratory Order49 No Grounds for Denial
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APPLICANTS/ PETITIONERS

- 3 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination
- 4 Disciplinary action taken by another licensing authority
- 1 Convicted of four counts of Theft of Property; Disciplinary action against vocational nursing license
- 1 Convicted of felony Theft of Property; deferred judgment for misdemeanor Theft
- 1 Deferred judgment for state jail felony Tampering with Governmental Records and convicted of misdemeanor Fail to ID Fugitive-False Info
- 1 Convicted of Second Degree felony Possession of Cocaine LT 28G - Crack; and misdemeanor Carrying a Prohibited Weapon and Larceny by Check
- 1 Convicted of misdemeanor Driving While Intoxicated and deferred judgment for misdemeanor Assault Causes Bodily Injury
- 1 Court-Martial for Carnal Knowledge
- 1 Convicted of second degree felony Possession of Cocaine; third degree felony Credit Card Abuse and misdemeanor Possession of Marijuana
- 1 Disclosed a struggle with alcohol abuse and chemical dependency (pills) for about six months
- 1 Deferred judgment for third degree felony Obtaining a Controlled Substance by Fraud
- 2 Convicted of three counts of misdemeanor Driving While Intoxicated
- 1 Deferred judgment for second degree felony Possession with Intent to Deliver a Controlled Substance
- 1 Deferred judgment for misdemeanor Possession of Marijuana; convicted of Public Intoxication and Minor in Possession of Alcohol
- 2 Diagnosed with Bipolar Disorder
- 3 Convicted of two counts misdemeanor Driving While Intoxicated
- 1 Admitted to Seton Shoal Creek Hospital for detox of alcohol
- 1 Convicted of two counts of Driving While Intoxicated; participated in Substance Abuse/Therapy/Education Sessions
- 1 Pre-Trial Diversion for misdemeanor Driving While Intoxicated; deferred judgment for Theft of Property; convicted of two counts of Driving While Intoxicated
- 1 Entered treatment with the V.A. rehabilitation facility after a conviction for Driving While Intoxicated
- 1 Convicted of misdemeanor Driving While Intoxicated and Possession of Marijuana
- 1 Convicted of felony offense of Possession with Intent to Distribute Schedule II
- 1 Deferred judgment for state jail felony Possession of Marijuana
- 1 Deferred judgment for third degree felony Forgery and convicted of misdemeanor five counts of Theft; two counts Theft by Check; two counts Bail Jumping and Failure to Appear
- 1 Deferred judgment for third degree felony Insurance Fraud (\$20,000 - \$10,000)
- 1 Pre-Trial Diversion for misdemeanor Evading Arrest Detention with Vehicle or Water Craft and state jail felony Possession of Marijuana <=5lbs > 4 oz
- 1 Deferred judgment for misdemeanor Possession of a Controlled Substance and convicted of Driving While Intoxicated
- 1 Convicted of state jail felony Theft \$1500 - \$20K Medicaid Fraud
- 1 Convicted of misdemeanor Assault; Theft >=\$500 <\$1500 and stat jail felony Theft of Property \$1500 or more but less than \$20,000
- 1 Disclosed a drug use spanning two years
- 1 Deferred judgment for second degree felony Aggravated Assault - Serious Bodily Injury
- 1 Pre-Trial Diversion for misdemeanor Driving While Intoxicated
- 1 Deferred judgment for felony Possession of a Controlled Substance
- 1 Convicted of state jail felony Fraudulent Use of Possession of Identifying Information and state jail felony False Statement to Obtain Property
- 1 Deferred judgment for two counts third degree felony Credit Card - Present - Other
- 1 Convicted of class 4 felony Controlled Substance-Possession; misdemeanor Harassment, and two counts of Driving While Ability Impaired
- 1 Convicted of state jail felony Fraud Use/Poss Identifying Information of Items < 5
- 1 Convicted of felony Possession of Marijuana
- 1 Voluntarily enrolled into an inpatient treatment program
- 1 Deferred judgment for state jail felony Securing Execution of Document by Deception
- 1 Convicted of misdemeanor Criminal Mischief; Evading Arrest/Detention; Disorderly Conduct and Theft
- 3 Deferred judgment for state jail felony Theft
- 2 Diagnosed with Schizophrenia
- 4 Denial of Licensure

793 No Grounds for Denial/Youthful Indiscretion

RN CORRECTIVE ACTION

Time frame: June 1, 2013, through August 31, 2013

58	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none">8 Non disclosure of misdemeanor Theft19 Non disclosure of misdemeanor Driving While Intoxicated2 Non disclosure of misdemeanor Reckless Driving3 Non disclosure of misdemeanor Assault Causes Bodily Injury Family Member1 Non disclosure of misdemeanor Drug Paraphernalia and Public Intoxication3 Non disclosure of misdemeanor Theft by Check1 Non disclosure of misdemeanor Making Alcohol Available to a Minor1 Non disclosure of misdemeanor Resisting or Obstructing an Officer1 Non disclosure of misdemeanor Disorderly Conduct1 Non disclosure of misdemeanor Possession of Drug Paraphernalia1 Non disclosure of misdemeanor Unlawfully Carrying a Weapon1 Non disclosure of misdemeanor Shoplifting1 Non disclosure of misdemeanor Possession of a Dangerous Drug1 Non disclosure of misdemeanor Issuance of a Bad Check1 Non disclosure of misdemeanor Driving While License Suspended1 Non disclosure of misdemeanor Purchase/Furnish Alcohol to a Minor1 Non disclosure of misdemeanor Possession of Hallucinogen1 Non disclosure of misdemeanor Fail to Identify Fugitive From Justice1 Non disclosure of misdemeanor Fail to Stop at Accident2 Non disclosure of misdemeanor Petit Theft1 Non disclosure of misdemeanor Obstructing a Peace Officer1 Non disclosure of misdemeanor Possession of Marijuana1 Non disclosure of misdemeanor Larceny of Merchandise5 Practiced Nursing without a valid license
11	<p>ENDORSEMENT</p> <ul style="list-style-type: none">1 Non disclosure of misdemeanor Aiding and Abetting the Illegal Entry of an Alien1 Non disclosure of misdemeanor Possession of Marijuana1 Non disclosure of misdemeanor Driving While Intoxicated1 Non disclosure of misdemeanor Assault & Battery1 Non disclosure of misdemeanor Check Written Insufficient Funds1 Non disclosure of misdemeanor Theft1 Non disclosure of misdemeanor Minor in Consumption1 Non disclosure of misdemeanor Obtain aid by Fraud; Fraud to Obtain Aid and False Statement to Obtain Food Stamps1 Non disclosure of misdemeanor Driving While Ability Impaired2 Non disclosure of Disciplinary action taken by another Licensing Authority
9	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none">1 Non disclosure of misdemeanor Theft >=\$20 but <\$2002 Non disclosure of misdemeanor Driving While Ability Impaired1 Non disclosure of misdemeanor Criminal Damaging - Endanger1 Non disclosure of misdemeanor Open Container1 Non disclosure of misdemeanor Knowingly and Intentionally Possessing a Usable Quantity of Marijuana1 Non disclosure of misdemeanor Obstructing Governmental Operations1 Non disclosure of misdemeanor Criminal History w/ a Non-Disclosure Order granted after submission of Application1 Non disclosure of misdemeanor Disorderly Conduct

RN DEFERRED DISCIPLINE

Time frame: June 1, 2013, through August 31, 2013

8	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none">1 Failed to obtain a complete blood count laboratory as ordered1 Failed to notify physician and clarify an order to refer a patient to hospice as requested by guardian1 Failed to document training received by staff members who provided care to a patient1 Verbally inappropriate to laboring patient and her family1 Inappropriately accessed medical record of a patient when not assigned the patient; maintained a personal relationship with a patient she had been assigned to care for1 Failed to administer Dextrose as ordered1 Prescribed and/or ordered administration of a B-12 injection without obtaining lab test that show B-12 was needed1 Attempted to obtain a urine specimen without a physician's order for an I&O catheterization
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Oct. 1, 2013

NCLEX Program Going Paperless

In an effort to improve effectiveness and efficiency, the NCLEX program will “go green” and transition to a paperless program in 2014. Below is information on phase two of the transition to paperless: day of the exam processes. Please communicate these changes to your candidates, constituents and stakeholders. Visit the [NCLEX webpage](#) for continued updates regarding the paperless initiative.

Impacts to Exam Day Processes: Authorization to Test (ATT) Letter

- Once a board of nursing makes a candidate eligible, that candidate will receive their ATT by email. The ATT continues to serve as the candidate’s notice that they may schedule their NCLEX at a Pearson Professional Center. Candidates should continue to ensure the ATT letter reflects their name as it appears on their ID, their authorization period, the exam they registered to take, and if applicable, their approved accommodations.
- Beginning Jan. 1, 2014, the paper copy of the ATT letter will no longer be necessary for test admittance.
- To gain access to the test center, candidates must present one form of [acceptable identification](#) that matches exactly the name they provided when registering. If the candidate’s ID does not match exactly the name they registered with, the candidate will not be admitted to test and will have to reregister and pay another fee for the NCLEX.

Be on the lookout in November for the third phase of communication: information pertaining to processes after the exam impacted by the transition to paperless.

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NCSBN
111 E. Wacker Drive, Suite 2900
Chicago, Illinois 60601
312.525.3600 | <http://www.ncsbn.org/>
International Calls: +1.312.525.3600



Board of Nursing Statistical Report

v1.0 (rev 2013-Audited)

Measure Number	Measure Description	Totals FY'10	Totals FY'11	Totals FY'12	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Running FY 2013 Total
7.1	Nursing Jurisprudence Exam	27,177	27,821	29,414	7,115	6,323	9,368	8,010	30,816
7.1.1	Exam Not Completed	1,845	1,216	1,248	317	309	523	566	1,715
7.1.2	Percentage Not Completed	6.79%	4.37%	4.27%	4.46%	4.89%	5.58%	7.07%	5.57%
7.1.3	Did Not Passed	1,602	2,468	2,509	612	493	612	667	2,384
7.1.4	Percentage Did Not Pass	5.89%	8.87%	8.62%	8.60%	7.80%	6.53%	8.33%	7.74%
7.1.5	Exam Passed	23,730	24,137	25,657	6,186	5,521	8,233	6,777	26,717
7.1.6	Percentage Exam Passed	87.32%	86.76%	87.11%	86.94%	87.32%	87.88%	84.61%	86.69%
7.7.7	NJE - Breakdown by Applicant Group								
7.7.8	LVN-Candidate	7,266	7,472	7,653	1,808	1,137	1,400	2,285	6,630
7.7.9	Exam Not Completed	835	399	411	84	64	82	152	382
7.7.10	Did Not Passed	723	991	1,051	220	130	143	242	735
7.7.11	Exam Passed	5,708	6,082	6,191	1,504	943	1,175	1,891	5,513
7.7.12	LVN-Endorsement	1,384	1,716	1,657	400	320	415	477	1,612
7.7.13	Exam Not Completed	94	105	73	27	22	24	40	113
7.7.14	Did Not Passed	193	387	370	93	60	103	90	346
7.7.15	Exam Passed	1,097	1,224	1,214	280	238	288	347	1,153
7.7.16	RN-Candidate	10,929	11,057	11,982	2,715	2,633	4,878	2,244	12,470
7.7.17	Exam Not Completed	569	361	447	108	120	251	155	634
7.7.18	Did Not Passed	250	387	430	119	116	151	102	488
7.7.19	Exam Passed	10,110	10,309	11,105	2,488	2,397	4,476	1,987	11,348
7.7.20	RN-Endorsement	7,598	7,576	7,599	2,021	2,049	2,442	2,744	9,256
7.7.21	Exam Not Completed	347	351	298	93	96	150	196	535
7.7.22	Did Not Passed	436	703	633	174	182	209	218	783
7.7.23	Exam Passed	6,815	6,522	6,668	1,754	1,771	2,083	2,330	7,938
7.7.24	Refresher Course/Renewal Requirements	n/a	n/a	523	171	184	233	260	848
7.7.25	Exam Not Completed	n/a	n/a	19	5	7	16	23	51
7.7.26	Did Not Passed	n/a	n/a	25	6	5	6	15	32
7.7.27	Exam Passed	n/a	n/a	479	160	172	211	222	765

	Time	City	School/Host
10/9/13	9:30 - 11:30	Ft. Worth	Tarrant County Community College
10/9/13	2:00 - 4:00	Dallas	Brookhaven College
10/10/13	1:30 - 3:30	El Paso	UT-El Paso
10/21/13	9:30 - 11:30	Houston-South	Prairie View A&M University
10/21/13	2:00 - 4:00	Houston-North	Lone Star College-Montgomery
10/23/13	2:00 - 4:00	Midland/Odessa	Midland College
10/25/13	9:30-11:30	San Antonio	San Antonio College
10/28/13	1:30 - 3:30	Texarkana	Texarkana College
10/30/13	10:00-12:00	Galveston	UT Medical Branch
11/1/13	2:00 - 4:00	Beaumont	Lamar University-Beaumont
11/12/13	1:00 - 3:00	Tyler	Tyler Jr. College
11/13/13	1:00 - 3:00	Abilene	Cisco College
11/15/13	2:00 - 4:00	Amarillo	Amarillo College
11/18/13	10:00 - Noon	Waco	McLennan Community College
11/21/2013	2:00 - 4:00	Harlingen	Texas State Technical College
11/22/13	1:00 - 3:00	Wichita Falls	Midwestern State
12/4/13	2:00 -4:00	Lubbock	Texas Tech University
12/6/13	2:00 - 4:00	Laredo	Texas A&M International University
12/9/13	9:00 - 11:00	Corpus Christi	Del Mar College
12/11/13	9:00 - 11:00	Austin	Hobby Building