

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

Florida Temporarily Suspends Nursing Requirements to Deal with Shortage : Florida Gov. Charlie Crist has suspended state licensure requirements for traveling U.S. nurses, who have valid licenses in their home states or territories, and who want to work in Florida. Governor Crist has said that the move was needed to cover a temporary nursing shortage that was created because many Florida nurses are in Haiti to help the earthquake recovery effort. The suspension is for 90 days.

For more information, see: <http://www.flgov.com/pdfs/orders/10-20-nurses.pdf>.

AHA Report Outlines Workforce Strategies for a Changing Environment : Hospitals must redesign work to maximize efficiency, patient outcomes and staff satisfaction as the labor market tightens in the decade ahead, according to a report released by the American Hospital Association's Long-Range Policy Committee. Among other recommendations, the report encourages hospitals to work with educators to update traditional degree programs for health care workers, and with managers to address the needs of a multi-generational workforce. In developing the report, the committee focused on changing environments – changes in how health care is delivered and in the demographics and cultural attitudes of the future workforce pool. For more information, see: <http://www.aha.org/aha/issues/Workforce/workforce2015.html>.

Nursing School Admissions Stall with Recession: Admissions to pre-licensure nursing programs nationwide fell by 2% in 2008, the first decline in at least six years, according to a new survey release by the National League for Nursing (NLN). Nearly one-quarter of U.S. nursing programs received more qualified applicants than they could accept due to shortages of faculty, clinical placements or classroom space. For more information, see: http://www.nln.org/research/slides/ndr_0708.pdf.

Trend Shows Younger Nursing Workforce: One of the favorable trends shaping the nursing workforce is the growing number of younger nurses entering the workforce. Since 2003, there has been a steady increase in nurses ages 23 to 25 entering the workforce with significant growth noted in 2008. Also noted was a surge in RN employment in hospitals, increasing by nearly 250,000 since 2007. For more information, see: <http://news.nurse.com/article/20100201/NATIONAL02/102080007/-1/frontpage>.

HRSA Opens 2010 Nursing Student Loan Repayment Program: The Health Resources and Services Administration (HRSA) is accepting applications through March 4 for its 2010 Nursing Education Loan Repayment Program. The program helps registered nurses repay their student loans in exchange for working two years in a hospital or other health care facility with a critical shortage of nurses. In exchange for two years of service, participants receive 60 percent of their total qualifying nursing education loan balance. For an optional third year of service, participants may receive 25 percent of their original total qualifying nursing education loan balance. For more information, see: <http://www.hrsa.gov/loanscholarships/repayment/nursing/>.

STATE ISSUES

ERS Response to 5% Budget Reduction: The Employee Retirement System has submitted its response to the 5% reduction requested by State leadership and stated that it projects that the “five percent reduction will occur naturally because of state government hiring delays or freezes. When there are fewer filled positions, there is a corresponding reduction in the need for insurance contributions”. However, “the health insurance program was already facing a funding gap of an estimated \$148 million because health care spending is higher than available funding and reserves. ERS is working with state officials, plan members, and stakeholder groups to determine how best to cover the funding gap through benefit design changes”.

ERS surveyed state employees about possible changes to health care benefits to address this funding gap and reported that “38,510 members completed the online survey about possible benefit changes between February 12 to March 2 (a 22% response rate)”.

<http://www.ers.state.tx.us/news/articles/default.aspx>

The Texas Public Employees Association (TPEA) reports that “ERS does not have legal authority to change state contributions towards health care, since these decisions are set in the Appropriations Bill. As a result, ERS is limited to seeking health care provider efficiencies or increasing copayments, deductibles, coinsurance and other out-of-pocket cost sharing features under the ERS health plan.” ERS testified at the Senate State Affairs Committee recently that it anticipates increasing participant costs by 6 to 8 percent. ERS presented several options for savings necessary to achieve 6 to 8 percent savings including

- reasonably significant increases in copayments for primary care and specialist office visits,
- a probable first-time imposition of a medical services deductible for HealthSelect,
- changes in the stop loss amount for coinsurance purposes,
- increases in copayments in inpatient, outpatient and emergency room services, and
- probable increases in prescription drug copayments.

Fraudulent Nursing Educational Program Update: Informational reports have been provided to Board members since the April 2008 Board meeting regarding the presence of fraudulent nursing educational programs in Texas. Virginia Ayars is the staff person responsible for tracking fraudulent programs and providing expert testimony at hearings. Staff are not aware of any change in the status of these programs since the January Board meeting report.

Six schools have been identified as operating in Texas without Board of Nursing approval and have been issued Cease and Desist Orders by the Texas Workforce Commission (TWC), pursuant to their statutory authority. The fraudulent nursing educational programs are:

- Career Advanced
- Esther Medical Tutorial and Nursing Review Center
- IF TECH
- Merit Excellence Institute
- Omnibus International
- Vocational Training Educational Center or VTEC

Career Advanced and Merit Excellence Institute no longer operate in Texas. The Office of the Attorney General (OAG) obtained a default judgment against VTEC in January 2009 and against IF TECH in February 2009. In both cases, permanent injunctions were issued against the schools operating in Texas and former students were awarded restitution. The OAG has pending trials for Esther Medical Tutorial and Nursing Review Center. Board staff will serve as

expert witnesses during the trials. The previously scheduled TWC hearing against Omnibus International was continued.

There is updated information regarding the fraudulent nursing educational programs, as well as a direct link to the TWC Press Releases, provided on the BON website. Board staff continue to respond to telephone and email inquiries related to specific programs of study in efforts to inform the public and to caution stakeholders to investigate the credentials of any program of study prior to enrollment.

Health Professions Council: The Health Professions Council (HPC) met on April 1, 2010 for its regular quarterly meeting. The Council is implementing the new Regulatory Database Project that includes the development of a new database for four of the HPC agencies. Three new staff were hired for this project, bringing the HPC full time equivalents to five. You will find the HPC Annual Report under Board item # 7.8.

BOARD ISSUES

Just Culture: Following the January 4, 2010 conference call with Minnesota and North Carolina Boards of Nursing to discuss how each Board has operationalized the concept of *Just Culture* in their respective states, Katherine Thomas contacted NCSBN to determine their interest in sponsoring future conference calls open to all BONs. They have agreed to conduct a call to determine interest. The 3 Boards agreed that prevention of error and creating a culture of safety are the goals. Katherine Thomas has also spoken at the Texas Hospital Association annual meeting and the Texas Organization of Nurse Executives meeting where this concept was discussed. The Board will be updated on the progress of discussions with Boards of Nursing and other groups.

Staff have put together a reference list for Just Culture articles (see ***Attachment A***).

BON Bulletin Articles : The April issue of the *Board of Nursing Bulletin* contains articles on updating nurses' addresses and featured safety tips from Texas nurses; and a guest article by Mike Van Doren on self-assessment for substance abuse.

New Software for Board Meetings: The software to implement the new Board Meeting program is not completely purchased or installed at this time. It is now anticipated that we will conduct training at the July meeting and implement the new software at the October meeting. I apologize for any inconvenience this delay causes.

Board Meeting: The January meeting will be held at the Hobby Building in the Room 225 in Tower 2.

Board Development: At each board meeting, a board development session is held. At this Board meeting, the Board will have a presentation by Legal on the State Office of Administrative Hearings.

AGENCY ISSUES

Nursing Jurisprudence Examination: The Jurisprudence examination required for initial licensure by Texas Occupations Code Section 301.252, License Application, was implemented

in September 2008. Access to the Board's examination is available through the website, <http://www.bon.state.tx.us/olv/je.html> . 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. Statistics for all Jurisprudence exam takers for fiscal years 2008, 2009, and the first two quarter of 2010 is attached. (See **Attachment B**).

Online Jurisprudence Prep Course: The agency has offered extended access to this course for nursing education programs making such a request. As a year has passed since we began contracting with schools of nursing to extend access to the Online Jurisprudence Prep Course, staff have reevaluated the program and its use. This program has not been overly successful; however, statistics show that the prep course is being purchased on the BON website at a rate of 1,843 total users since 9/2009 and approx. 200-300 users per month. For this reason, we have decided to discontinue the contracts with the schools of nursing and rather encourage students preparing to take the NJE from the BON website directly.

Website: The flow charts on nursing delegation created by Texas Department of Aging and Disability and approved by the Board at the January meeting, have been added to the Practice page of the Board's website. The Texas map of approved RN programs was updated in March and can be found on the Education page, click on Approved Programs, and then Texas Map.

Office Space: In addition to the second floor, Tower 3 space recently added for our finance and purchasing staff, the Executive Director worked with the Texas Board of Medicine and the Texas State Board of Pharmacy to obtain and share a small space in Tower 1 to serve as shared conference room space and storage. That space became available on March 15, 2010.

Key Meetings and Presentations: I have attended/presented at the following meetings since the last Board meeting:

- *Meeting:* with Mark Wiles, Business & Economic Development Manager, Legislative Budget Board, January 14, 2010, Austin, TX.
- *Meeting:* Texas Team on Expansion of Nursing Education Capacity, January 27, 2010, Austin, TX.
- *Conference:* Federation of Associations of Regulatory Boards Annual Forum, January 29-30, 2010, Las Vegas, NV.
- *Meeting:* with Sharon Ludher, staff, Senate Health and Human Services Committee, February 2, 2010, Austin, TX.
- *Meeting:* NCSBN Chemical Dependency Program Committee, February 4-5 2010, Chicago, IL.
- *Conference Call:* with Dena S. Puskin, Sc.D., Senior Advisor Office of Planning, Analysis and Evaluation, Health Resources and Services Administration to discuss the Nurse Licensure Compact, February 8, 2010.
- *Conference Call:* NCSBN Board of Directors Meeting, February 10, 2010.
- *Conference Call:* with David Swankin and the NCSBN Chemical Dependency Program Committee to discuss best practices of chemical abuse/dependency regulatory programs, February 11, 2010.

- *Conference Call:* Nurse Licensure Compact Administrators, February 16, 2010.
- *Presentation:* Texas Hospital Association Meeting, *Update on BON Education and Workforce Initiatives*, February 17, 2010, Austin, TX.
- *Meeting:* with Senator Hinojosa, Mark Majek, and Tami Cowen to discuss nursing education programs' use of the HESI examination, February 19, 2010, McAllen, TX.
- *Meeting:* with Senator Lucio, Mark Majek, and Tami Cowen to discuss implementation of House Bill 4353 regarding licensure of nurses educated in Mexico, February 19, 2010, Brownsville, TX.
- *Forum:* RWJ Initiative on the Future of Nursing Education with the Institute of Medicine, February 22, 2010, Houston, TX.
- *Hearing:* Senate Health and Human Services Committee on Nursing Workforce and Advanced Practice Nurse charges, February 23, 2010, Austin, TX.
- *Meeting:* with TPAPN and TNF staff to discuss the Peer Assistance Program Audit and new proposal for increasing length of program, February 24, 2010, Austin, TX.
- *Meeting:* Small State Agency Task Force, February 26, 2010, Austin, TX.
- *Conference Call:* Wiki training for Compact Administrators, February 26, 2010.
- *Conference Call:* East Texas Nursing Education Capacity Grant Conference Call, March 4, 2010.
- *Conference Call:* Gulf Coast Texas Nursing Education Capacity Grant Conference Call, March 4, 2010.
- *Presentation:* Texas Organization of Nurse Executives, *Texas BON Workforce and Education Initiatives*, March 5, 2010, Dallas, TX.
- *Meeting:* Nurse Licensure Compact Administrators meeting and Mid Year Meeting of the National Council of State Boards of Nursing, March 7-10, 2010, Chicago, IL.
- *Meeting:* with Dr. Rod Hicks to discuss Texas Tech graduate program in informatics and potential learning experience for those students at the Texas Board of Nursing, March 11, 2010, Austin, TX.
- *Conference Call:* Chemical Dependency Program Committee to discuss Forum on Best Practices of Alternative Programs, March 24, 2010.
- *Conference Call:* with Western Governor's University to discuss program expansion, March 25, 2010.
- *Meeting:* with Texas Tech University Health Science Center Interim Dean, Dr. Chandice Covington, March 26, 2010, Austin, TX.
- *Meeting:* Texas Team on Expansion of Nursing Education Capacity, March 31, 2010, Austin, TX.
- *Meeting:* Health Professions Council Quarterly meeting, April 1, 2010, Austin, TX.

- *Conference Call:* NCSBN Chemical Dependency Program Committee, April 6, 2010.
- *Meeting:* with staff from the Texas Center for Nursing Workforce Studies and the Department of State Health Services to discuss the contract for the House Bill 3961 study on nursing education, April 12, 2010, Austin, TX.
- *Meeting:* Texas Center for Nursing Workforce Studies Quarterly Meeting, April 14, 2010, Austin, TX.

Mark Majek attended/presented at the following:

- *Hosted:* Staff of the District of Columbia to learn about Criminal Background Check policies and procedures, Austin, TX.
- *Conference Call:* with Minnesota Board of Nursing to discuss Criminal Background Check policies and procedures.
- *Presentation:* Deans and Directors meeting, January 29, 2010, Austin, TX.
- *Presentation:* Texas Board of Nursing Education Workshop, February 10, 2010, the Capitol, Austin, TX.
- *Presentation:* Texas State Student Nurses Association Meeting, February 13, 2010, San Antonio, TX.
- *Presentation:* Texas League of Vocational Nurses Association, February 26, 2010, Temple, TX.
- *Presentation:* Texas Healthcare Recruiters Association, Houston Chapter, April 14, 2010, Houston, TX.

Melinda Hester presented:

- *Presentation:* Texas School Alliance - School Health Advisory Committee, *Delegation*, January 29, 2010, Austin, TX.

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

Case Resolution Report
Decemer1, 2009 through February 28, 2009

Type of Action	Total
No Jurisdiction	11
No Violation	6
No Action	943
Insufficient Evidence	130
Admonish	55
Without Prejudice	427
TPAPN Referrals	131
EEP Referrals	8
Corrective Actions	15
Totals	1726

LVN DISCIPLINARY ORDERS

Time frame: December 1, 2009, through February 28, 2010

DISCIPLINARY	
18	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 failed to report the sexual assault of a minor patient to law enforcement 1 Failed to protect a patient's confidential information 1 Failed to completely document the administration of medications 1 Inappropriately assigned the task of administering medications to a CNA 10 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Charged with Assault Causing Bodily Injury and Forge Writing; disciplined by Virginia Board of Nursing 1 Deferred sentence for felony offense of Engaging in Organized Criminal Activity 2 Left nursing assignment without notifying appropriate personnel
5	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Failed to document the intake and output values of a continuous bladder irrigation 1 Deferred sentence for state jail felony offense of Theft 1 Charged with two counts of Driving While Intoxicated 1 Documented the administration of narcotics administered by another nurse 1 Failed to document the assessment of a patient
29	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 11 Noncompliance with Board Order 1 Charged with Possession of Marijuana, Possession of a Controlled Substance, Abandon/Endanger a Child Criminal Neglect, and Theft of Property by Check 1 Convicted of Injury to a Child/Elderly/Disabled-Severe Bodily Harm - Mental 1 Intemperate use of Benzodiazepines and Cannabinoids; Misappropriation of Fentanyl 1 Misappropriated Tramadol Hydrochloride and Hydrocodone; Intemperate use of Hydrocodone; charged with the felony offense of Obtaining a Controlled Substance by Fraud on November 30, 2009 1 Disciplinary action taken by another licensing authority 1 Convicted of the felony offense of Misprison of a Felony 1 Charged with two counts of the felony offense of Burglary of Habitation 11 Submitted a statement of Voluntary Surrender
9	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Deferred sentence for the felony offense of Possession of Cocaine 2 Intemperate use of Cocaine 1 Passed 6 forged prescriptions for Alprazolam, Ambien, Cialis, and Viagra; Intemperate use of Ambien 1 Misappropriation of medications; called in an unauthorized prescription for Vicodin 1 Misappropriated a laptop belonging to the agency; submitted a pre-employment drug screen positive for Butalbital and Cocaine 1 Charged with one or more counts of Driving While Intoxicated 1 Intemperate use of Marijuana 1 Deferred sentence for the offense of Possession of a Controlled Substance

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2009, through February 28, 2010

15	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Disciplinary action taken by another licensing authority 1 Deferred sentence for Theft 1 Deferred sentence for the state jail felony offense of Fraudulent use of Identifying Information 5 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 7 No Grounds for Denial
254	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Deferred sentence for the felony offense of Aggravated Robbery 1 Deferred sentence for state jail felony offense of Credit Card Abuse 1 Deferred sentence for state jail felony offense of Theft of Property 1 Charged with two counts of Driving While Intoxicated 1 Deferred sentence for the second degree felony offense of Aggravated Assault 1 Charged with two counts of Theft of Property 1 Convicted of Make Fictitious Check and Forgery and two counts of Driving While Intoxicated 1 Convicted of the third degree felony offense of Possession of Marijuana 1 Convicted of Theft, Criminal Trespass, and Driving While Intoxicated 1 Convicted of Driving While Intoxicated and two counts of misdemeanor and one count of felony Theft of Property 1 Deferred sentence for the offense of Possession for Sale of Drugs 1 Disciplinary action taken by another licensing authority 1 Deferred sentence for the second degree felony offense of Possession of a Controlled Substance - Methamphetamine 1 Deferred sentence for the state jail felony offense of Forgery by Making 1 Deferred sentence for the state jail felony offense of Possession of a Controlled Substance 1 Convicted of Illegal use of Social Security Number 1 Charged with the felony offense of Possession of Schedule VI Controlled Substance - Marijuana with Intent to Deliver and Possession of Drug Paraphernalia 2 Deferred sentence for the felony offense Possession of Marijuana 1 Pre-Trial sentence for the state jail felony offense of Theft of Property 1 Deferred sentence for Theft of Property and Criminal Mischief; convicted of Possession of Drug Paraphernalia and Theft 1 Charged with the second degree felony offense of Possession of a Controlled Substance - Methamphetamine 1 Charged with Driving While Intoxicated and the felony offense of Unauthorized use of a Vehicle 1 Non-disclosure of Criminal History 1 Charged with the felony offense of Possession of a Controlled Substance With Intent to Deliver - Marijuana 3 Denial of Licensure 226 No Grounds for Denial/Youthful Indiscretion

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: September 1, 2009, through November 30, 2009

48	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 2 Disciplinary action taken by another licensing authority. 1 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 45 No Grounds for Denial
414	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Convicted of the felony offense of Possession with Intent to Distribute Marijuana. 1 Deferred probation for the misdemeanor offense of Securing Execution fo Document by Deception; convicted of Theft of Property. 1 Deferred probation for the misdemeanor offense of Possession of a Controlled Substance; convicted of the misdemeanor offense of Possession of a Controlled Substance. 1 Convicted of state jail felony offense of Possession of a Controlled Substance; misdemeanor offenses of Theft of Property, Theft, and Unlawfully Carrying a Weapon. 1 Deferred probation for the third degree felony offense of Possession of Marijuana; convicted of misdemeanor offense of Disorderly Conduct. 1 Pre-Trial Diversion for the state jail felony offense of Burglary of a Building; deferred probation for the misdemeanor offense of Possession of a Prohibited Weapon. 1 Convicted of the felony offense of Worthless Checks - 3 counts; and two counts of the misdemeanor offense of Theft. 1 Deferred probation for the second degree felony offense of Aggravated Assault on a Police Officer; Pre-Trial Diversion for the third degree felony offense of Aggravated Assault Causing Bodily Injury. 1 Convicted of the misdemeanor offenses of Shoplifting and two counts of Theft. 1 Deferred probation for the third degree felony offense of Tamper/Fabricate Physical Evidence with Intent to Impair. 1 Convicted of the misdemeanor offenses of Possession of Drug Paraphernalia and Driving While Intoxicated; Diagnosed with Bipolar Disorder. 1 Convicted of the felony offense of Burglary of a Vehicle and Robbery; convicted of misdemeanor offense of Driving While Intoxicated. 1 Deferred probation for the misdemeanor offense of Prohibited Weapon - Switchblade/Knuckles; convicted of misdemeanor offense of Driving While Intoxicated. 1 Deferred probation for the third degree felony offense of Unauthorized Use of a Motor Vehicle; misdemeanor conviction of Theft. 1 Pre-Trial Diversion for the state jail felony offense of Possession with Intent to Deliver a controlled Substance and Endangering a Child. Misdemeanor conviction of Theft of Property. 1 Deferred probation for state jail felony offense of Forgery of a Financial Instrument and Theft of Property. 1 Convicted of the felony offense of Possession with Intent to Deliver Cocaine. Entered treatment for drug/alcohol abuse. 1 Convicted of the misdemeanor offenses of Prostitution - four counts and one count of Possession of a Controlled Substance. 1 Convicted of first degree felony offense of Possession with Intent to Deliver a Controlled Substance. 1 Deferred probation for the state jail felony offense of Securing Execution of Document by Deception; misdemeanor offense of Theft by Check - 3 counts. 1 Placed in Drug Intervention Program for the state jail felony offense of Possession of a Controlled Substance. 1 Deferred probation for the felony offense of Illegal Use of Credit Card. 1 Convicted of class D felony offense of Bank Larceny. 1 Convicted of misdemeanor offenses of Driving While Intoxicated and two counts of Public Intoxication. 1 Pre-Trial Diversion for state jail felony offense of Secure Execution of Document by Deception. 1 Non-disclosure of Criminal History 2 Denial of Licensure 386 No Grounds for Denial/Youthful Indiscretion

RN DISCIPLINARY ORDERS

Time frame: December 1, 2009, through February 28, 2010

DISCIPLINARY	
36	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Made false entries in the medical record for two patients; withdrew Flexeril but failed to follow proper wastage procedures 2 Failed to protect confidential patient information 1 Obtained levaquin for administration without a valid physicians order 1 Altered the expiration dates on an American Heart Association card 1 Failed to document patient assessments 1 Inappropriately inserted an intravenous catheter in a co-worker to administer Zofran 1 Accessed patient medical records on an acquaintance 1 Failed to document a comprehensive nursing assessment 1 Inappropriately provided eight clinical nursing students with a confidential faculty access code 1 Failed to document physician's orders 1 Exceeded Board authorized scope of practice 1 Charged with Assault Causing Bodily Injury and Forge Writing; disciplined by Virginia Board of Nursing 1 Left nursing assignment without notifying immediate supervising 4 Practiced as a Nurse without a valid license or certification. 15 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 3 Provided Nurse Anesthetist care without a valid Board approval
20	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Failed to assess depression status of a patient; failed to re-assess blood pressure; and failed to complete physical examination 1 Administered Benadryl even though patient was identified as allergic to Benadryl 1 Administered Morphine sulfate intramuscular instead of intravenous push 1 Failed to appropriately and completely document in a patient medical record 1 Failed to ensure the transfer, by ambulance, of a resident 1 Transcribed physician's verbal orders for medications for a patient without including dosages 1 Failed to follow physician's orders 1 Abandoned patients by leaving assignment 2 Administered one unit of Packed Red Blood Cells to a patient without a physicians order as required 1 Failed to completely assess and document vital signs; failed to administer antibiotics; failed to accurately and completely document on the medication administration record 1 Failed to ensure a safe environment for patients and failed to ensure patient confidentiality 1 Failed to provide adequate care 1 Failed to assess and intervene appropriately to stabilize a patient 1 Failed to document assessments and treatments; failed to provide pain medication 1 Documented the administration of narcotics administered by another nurse 1 Instructed a staff LVN to increase the dosage of Dopamine without a physician's order 1 Failed to note and/or timely implement physicians' orders 1 Failed to ensure that systems were in place and staff were trained to provide safe and effective tracheostomy care fora resident 1 Practiced without a valid license or certificate.

36	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 10 Noncompliance with previous Board Order 1 Respondent suffered a severe stroke and is permanently disabled 1 Misappropriated Lortab, Demerol, Morphine, Alprazolam, Clonidine, Phenergen, Xanax, Vicodin, and Hydrocodone 1 Lacked fitness to practice in that she accused Scenic Mountain Medical Center for causing her to lose her baby 1 Misappropriated Fentanyl, Demerol and Morphine; Charged with Obtain Drugs by Fraud 1 Failed to initiate nursing interventions which may have been required to prevent the patient's demise. 1 Treated for Alcohol dependency; lacked fitness to practice; failed to properly verify a patient identity 1 Intemperate use of controlled substance; past disciplinary action 1 Charged with the second degree felony offense of Injury to a Child 1 Intemperate use of Hydrocodone, admitting herself to a drug rehabilitation facility 1 Misappropriated Demerol and Dilaudid; intemperate use of Opiates 1 Deferred sentence for felony offense of Obtain Controlled Drug by Fraud 1 Disciplinary action taken by another licensing authority 14 Submitted a statement of Voluntary Surrender
24	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Convicted of Driving While Intoxicated; voluntarily admitted herself into a rehabilitation facility; called in 4 prescriptions totaling 336 tablets of Hydrocodone 4 Charged with one or more counts of Driving While Intoxicated 1 Withdrew Vicodin but failed to completely and accurately document the administration and follow policy and procedures for wastage 1 Disciplinary action taken by another licensing authority 1 Passed a fraudulent, unauthorized prescription for Vicodin; passed a forged prescription for Hydrocodone; intemperate use of vicodin 1 Lacked fitness to practice; intemperate use of Cocaine 1 Passed 6 forged prescriptions for Alprazolam, Ambien, Cialis, and Viagra; Intemperate use of Ambien 1 Intemperate use of Propoxyphene 1 Misappropriation of medications; called in an unauthorized prescription for Vicodin 1 Misappropriated a laptop belonging to the agency; submitted a pre-employment drug screen positive for Butalbital and Cocaine 1 Fell asleep while on duty; left nursing assignment without notifying appropriate personnel; picked up a urine specimen without gloves; was observed hugging and kissing two male patients on the cheek 1 Diagnosed with Alcohol Dependence 1 Had slurred speech and was stumbling while on duty; admitted to intemperate use of Ativan 1 Positive drug screen for Benzodiazepines, marijuana and ethyl glucuronide 1 Misappropriation of Hydrocodone 1 Intemperate use of Butalbital, Morphine, Hydrocodone and Propoxyphene; misappropriation of Hydrocodone and Morphine 1 Misappropriation of Hydrocodone; Intemperate use of Alcohol and Hydrocodone 1 Misappropriation and Intemperate use of Vicodine 2 Charged with Possession of a Controlled Substance 1 Under treatment for Opioid Dependence

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: March 1, 2009, through May 31, 2009

31	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 2 Disciplinary action taken by another licensing authority 1 Charged with Fraud - Insufficient Funds; Driving Under the Influence; Hit and Run; and 3 counts of Worthless Check 1 Charged with Attempted theft and Possession of Marijuana 1 Charged with two counts of Driving Under the Influence; entered treatment for intemperate use 12 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 1 Denial of Licensure 13 No Grounds for Denial
378	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Deferred sentence for Secure Execution of Document by Deception 1 Deferred sentence for Theft of Property; convicted of Possession of Drug Paraphernalia and Theft 1 Deferred sentence for felony Manufacture/Deliver/Possess a Controlled Substance; Disciplinary action taken against Texas LVN license 1 Deferred sentence for three counts of the state jail felony offense of Forgery 1 Use of Marijuana, Cocaine and Ecstasy; diagnosed with Bipolar Affective Disorder, Depression, Panic Disorder, Anxiety Disorder and Mixed Substance Abuse 1 Charged with the felony offenses of Theft of Government Property and Possession with Intent to Deliver a Controlled Substance 3 Disciplinary action taken by another licensing authority 1 Diagnosed with Bipolar Disorder; charged with Assault Causing Bodily Injury 3 Deferred sentence for the felony offense of Possession of a Controlled Substance 2 Deferred sentence for the state jail felony offense of Theft of Property 1 Pre-Trial Diversion for Possession of a Controlled Substance - Methamphetamine 1 Deferred sentence for Tamper with Government Records; charged with Obstructing a Highway Passageway 1 Convicted of the felony offense of Forge Writing; convicted of misdemeanor Assault; disciplinary action taken by another licensing authority 1 Deferred sentence for state jail felony offense of Fraud Use/Poss of Identifying Information 2 Diagnosed with Bipolar disorder 1 Non disclosure of Theft charge on LVN Renewal Document 1 Deferred sentence for the misdemeanor offense of Fraud Destroy/Remove/Conceal Writing; convicted of Assault 1 Completed Inpatient Rehabilitation 1 Convicted of state jail felony offense of Credit Card Abuse 1 Deferred sentence for misdemeanor offenses of Theft of Property, False Report to Police Officer and Purchase/Furnish Alcohol to a Minor 1 Deferred sentence for felony offense of Theft, convicted of misdemeanor Theft and Failure to Identify 1 Convicted of two counts of Driving While Intoxicated 1 Deferred sentences for Burglary of a Vehicle and four counts of Criminal Mischief 1 Deferred sentence for State Jail felony offense of Forgery of a Financial Instrument 1 Deferred sentences for misdemeanor Possession of Marijuana and felony Possession of a Controlled Substance 1 Charged with two counts of Possession of Marijuana 343 No Grounds for Denial/Youthful Indiscretion 3 Denial of Licensure

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Measure	Totals FY'07	Totals FY'08	Totals FY'09	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Running FY 2010 Total
Nursing Jurisprudence Exam	n/a	n/a	18,886	5,701	5,866	0	0	11,567
Exam Not Completed			825	334	339	0	0	673
Percentage Not Completed			4.37%	5.86%	5.78%	??	??	5.82%
Did Not Passed			485	131	131	0	0	262
Percentage Did Not Pass			2.57%	2.30%	2.23%	??	??	2.27%
Exam Passed			17,576	5,236	5,396	0	0	10,632
Percentage Exam Passed			93.06%	91.84%	91.99%	??	??	91.92%
NJE - Breakdown by Applicant Group								
LVN-Candidate			4,627	1,361	1,343	0	0	2,704
Exam Not Completed			282	106	140			246
Did Not Passed			177	58	61			119
Exam Passed			4,168	1,197	1,142			2,339
LVN-Endorsement			938	328	291	0	0	619
Exam Not Completed			57	15	19			34
Did Not Passed			90	21	16			37
Exam Passed			791	292	256			548
RN-Candidate			8,104	2,082	2,496	0	0	4,578
Exam Not Completed			265	143	102			245
Did Not Passed			35	11	17			28
Exam Passed			7,804	1,928	2,377			4,305
RN-Endorsement			5,217	1,930	1,736	0	0	3,666
Exam Not Completed			221	70	78			148
Did Not Passed			183	41	37			78
Exam Passed			4,813	1,819	1,621			3,440

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Measure	Totals FY'07	Totals FY'08	Totals FY'09	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Running FY 2010 Total