

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

Joint Commission Launches New Center for Transforming Healthcare: In September, the Joint Commission announced the launch of their Center for Transforming Healthcare. The center was created to address the most pressing safety and quality problems in health care. Through the new center, the Joint Commission is attempting to measure the magnitude of serious quality and safety problems, identify their underlying causes, and develop long-lasting solutions. Work has begun on its first initiative – developing solutions to improve hand hygiene and reduce preventable health care-associated infections. The center is developing solutions by using the same Robust Process Improvement™ methods – including Lean Six Sigma and change management – that other industries have relied on to improve quality, safety and efficiency. For more information, please see:
<http://www.centerfortransforminghealthcare.org/>.

Nursing Honor Society Prepares to Launch Nurse Faculty Transition Pilot: The nursing honor society Sigma Theta Tau International has announced plans to launch a pilot program aimed at preparing RNs to transition into nurse faculty roles. Supported by a \$200,000 grant from the Elsevier Foundation, the society will use the funding to launch the pilot Nurse Faculty Mentored Leadership Development Program. The program will be administered by the Sigma Theta Tau International's Leadership Institute. Under the 18-month program, novice nurses who hold masters or doctoral degrees or who are enrolled in a doctoral program can apply for one of 16 faculty scholar positions. As part of the application, the nurses must identify a potential mentor willing to serve as a role model or coach throughout the program. To ensure the mentor can provide an outside perspective on any issues and problems, he or she must not work at the same institution as the scholar. During the program, scholars, mentors and expert faculty will meet online and talk via phone to discuss the mentorship; create an individualized progression plan for the scholar; and perform the planning, implementation and evaluation of an educational project that will focus on innovative strategies to improve the student learning process. For more information, see: <http://www.rwjf.org/humancapital/digest.jsp?id=22348>.

IOM Issues Framework for Crisis Standards of Care : The Institute of Medicine (IOM) has issued guidance to help states and health care providers develop and implement patient care standards for public health emergencies involving a shortage of medical equipment, supplies or staff. Requested by the Department of Health and Human Service's Office of the Assistant Secretary for Preparedness and Response, the guidance provides a framework for developing crisis care standards that are clear, consistent, ethical, integrated, legal and evidence-based. Among other recommendations, the guidance states that health care practitioners and institutions should receive legal protection for ethical practices and treatment decisions during a declared disaster. For more information, please see:
<http://www.iom.edu/en/Reports/2009/DisasterCareStandards.aspx>.

STATE ISSUES

Texas Health Officials Urge Communities to Take Advantage of New Nurse

Recruitment, Education Rules: To help offset a regional shortage of nurses, Texas health leaders are calling on nurses and nursing educators in El Paso to enhance efforts to educate and recruit more nursing professionals, the El Paso Times reports. Speaking at the Greater El Paso Chamber of Commerce, officials from the Texas Board of Nursing and the Texas Medical Board addressed health care leaders in the community. The Board of Nursing encouraged health professionals to leverage two new rules to improve nurse recruitment. The first rule is recently enacted state legislation that allows nurses licensed to practice in Mexico to receive a lower score on the Test of English as a Foreign Language before taking the national nursing exam. Those who pass the national exam can then obtain a special license allowing them to work in Texas border counties for a full calendar year before they must retake the English competency test and earn the standard minimum score. A second rule approved by the Texas Board of Nursing allows nurses with equivalent education from foreign countries to obtain a special permit that allows them to practice in the Texas clinical setting under supervision before they pass the U.S. nursing exam.

For more information, see: <http://www.rwjf.org/humancapital/digest.jsp?id=23000>.

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. She provides the following update.

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 established a trial date of January 12, 2010 for Esther Medical Tutorial and Nursing Review Center subsequent to unsuccessful attempts to reach an accommodation with the defendants. Board staff will serve as expert witnesses during the trial in Dallas. The previously scheduled TWC December hearing against Omnibus International was continued. It is anticipated that the hearing will be held in late January 2010.

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.

BOARD ISSUES

Just Culture: Following the July Board meeting presentation on *Just Culture* by Scott Griffith, Chief Operating Officer of Outcome Engineering, the Executive Director followed up with the Minnesota and North Carolina Boards of Nursing to arrange a meeting to discuss *Just Culture*. The three boards conducted a conference call on January 4, 2010 to discuss how each Board has operationalized the concept in their respective states. Katherine Thomas and Melinda Hester represented the Board. It was apparent to staff that all three states have incorporated *Just Culture* principles whether or not the *Just Culture* terminology is used. We discussed the Texas Board of Nursing's use of Peer Review to review complaints against nurses; Minor Incident rules that do not require report to the Board of certain conduct; the HASP Patient Safety Pilot Project to exempt facilities from mandatory reporting of certain conduct; use of the TERCAP tool to discover individual and systems factors contributing to error; Board reporting to CNOs of systems issues identified in investigations; articles in the Board Newsletter regarding patient safety and error prevention; and new corrective action and deferred discipline authority. In implementing *Just Culture* principles, the Minnesota and North Carolina Boards have focused on behavior of nurses rather than patient outcomes. Both State BONs have taken a leadership role and have reached out to stakeholders including facilities, educators, and regulators to educate them regarding *Just Culture* principles because of their important role in changing the philosophy of the work environment. North Carolina has seen an interest from their educational programs and faculty are teaching students about *Just Culture* to prepare them to enter hospitals who have adopted this model. North Carolina uses the PREP program (patient safety program similar to our HASP program), a collaborative program to evaluate complaints with 10-12 hospitals. They have also developed a complaint evaluation tool which they will share with us. It has not been tested for inter-rater reliability but they are currently attempting to determine the reliability of the tool. Minnesota uses the *Just Culture* algorithm to evaluate complaints. The 3 Boards agreed that prevention of error and creating a culture of safety are the goals. A future conference call will expand participants to include other Boards interested in this work. I will continue to keep you updated on the progress of these discussions. In addition, Mary Beth Thomas and Katherine Thomas met with Texas Organization of Nurse Executives' Board of Directors and discussed the Just Culture concept with them. We are planning conference calls with the Chapters of TONE and will include this subject in our discussions.

Two references are provided for your information:

Wachter, R. M. and Pronovost, P. J. (2009). Balancing "no blame" with accountability in patient safety. *New England Journal of Medicine*, (361)14, 1401-1406.

Gorzeman, J. (2008). Balancing just culture with regulatory standards. *Nursing Administration Quarterly*, (32)4, 308-311.

BON Bulletin Articles : The January issue of the *Board of Nursing Bulletin* contains an announcement of the new online CE course which will be available next Spring, a safety article focusing on minimizing disruptions during medication administration, and an article explaining SB 476 on mandatory overtime.

New Software for Board Meetings: NCSBN has agreed to share their Board Meeting software with the Texas Board of Nursing. Staff have been working with the NCSBN staff to prepare to roll out the new program. It is anticipated that we will conduct training at the April meeting and implement the new software at the July meeting. It is possible, however, that installation of a new web server and software may delay this schedule.

Board Meeting: The January meeting will be held at the Hobby Building in the Room 225 in Tower 2. Our new Board members will continue their orientation on Wednesday afternoon, focusing on nursing education.

Board Development: At each board meeting, a board development session is held. At this Board meeting, the Board will visit the Clinical Education Center (CEC), a medical training facility in the space formerly occupied by Children's Hospital of Austin. It is home to Austin Community College (ACC) classes for more than 100 new nursing students this academic year. This is one of the ways the Seton Family of Hospitals is helping address the nursing shortage in Central Texas. The CEC is a joint effort of the Seton Family of Hospitals, ACC District, the University Medical Branch-Austin Programs, the University of Texas at Austin, and Concordia University. Ultimately, the CEC plans to welcome students and graduate trainees in disciplines such as medicine, nursing, public health, bioengineering, informatics, social work, pharmacy, law, psychology, and public policy.

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 year 2009 is attached. (See *Attachment A*).

Online Jurisprudence Prep Course: Nursing educational programs expressed interest in having longer access to the prep course for their students. The agency began to offer extended access to the course for programs making such a request. Regular course access, purchased by individuals on the BON website provides three weeks access, while the program for schools of nursing extends the access period to eight weeks. The cost is dependent on the number of students participating. Faculty of students enrolled in the program may access the course without additional cost. Participating educational programs will have the option to renew enrollment in the program on an annual basis. The BON is pleased to offer this program to schools of nursing, as it meets our shared goal of preparing students to pass the Jurisprudence Exam and gain experience navigating the board's website to find answers to licensing and practice related questions that will assist students throughout their nursing career. There are currently 19 nursing education programs signed up for this program. The course has had a total of 95 students enrolled with total revenue of \$3,700.

Website: We have implemented two new customer service programs on our website. One allows applicants to track applications status online. Applicants can see what materials we have received and what is missing. The application has performed 18,386 queries since implementation (10/12/2009). The second is a *Live Help* function that is announced in the January Newsletter. Found in the Licensing section of the webpage, this function allows applicants and nurses to chat directly with licensing staff during regular business hours. It was implemented in September and has already engaged in 595 chat sessions. .

Office Space: To accommodate new employees authorized by the 81st Legislature, the Executive Director worked with the Texas Board of Medicine, the Texas State Board of Pharmacy and the Texas Facilities Commission to secure additional office space in the Hobby Building. The new space is located on the second floor of Tower 3. The finance and purchasing staff from the three agencies have moved into this new space. A small space in Tower 1 was also secured to serve as shared conference room space and storage.

Follow Up to the Visit to the Arizona Board of Nursing: The Executive Director attended the Arizona Board of Nursing Board meeting on September 23-24, 2009 in Phoenix, Arizona. The Arizona Board staff provided access to their Board meeting materials prior to the meeting. It

was a very positive experience and the Arizona Executive Director and President indicated a desire to visit the Texas Board in the near future. A number of ideas were generated by this experience.

- The Board conducts a dialogue with students during each meeting. This is similar to our Open Forum, however, students are invited to ask questions about their observations of the meeting. Board Members and staff have done this on an informal basis with students who attend meetings of the Eligibility and Disciplinary Committee.
- The President uses a script for disciplinary matters to promote similar treatment of everyone and appropriate statements for the record. This includes, ("state your name for the record"; "are you represented by counsel?"; "do you have a statement?"; does the Assistant AG have any recommendations as to the disciplinary action by the Board?").
- When Board members recuse themselves, they leave the room during discussion and state they are "avoiding the appearance of impropriety", or if they know the institution involved or someone other than the nurse or his/her counsel, they may state this relationship and stay and state they "show no bias".
- Their investigatory case reviews contain some things I would like to incorporate such as the stip sheet at the end of each case and the inclusion of any significant past employment issues.
- The Board investigators use investigative questionnaires which the respondent is asked to complete. It includes work history, educational experience, witnesses to the event(s), any systems issues, criminal history, as well as an explanation of the event. We often have trouble getting respondents to submit a written response to the allegations however, Arizona law makes it a violation to not cooperate with the Board's investigation.
- Investigators conduct in person interviews in lieu of Informal Settlement Conferences. That may be more timely and less intimidating to respondents.
- They have shared their chemical dependency evaluation criteria and processes and staff will be examining these for any helpful ideas.

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

- *Conference:* Leadership and Legislation, November 5-6, 2009, Springfield, IL.
- *Meeting:* with TPAPN to discuss Peer Assistance Program, November 9, 2009, Austin.
- *Meeting:* with Texas Organization of Nurse Executives Board of Directors, November 12, 2009, Austin.
- *Conference Call:* Nurse Licensure Compact Administrators, Executive Committee, November 16, 2009.
- *Presentation:* on Nursing Education to the Governor's Health Policy Council, December 3, 2009, Austin.
- *Meeting:* with Texas Nurses Association Governmental Affairs Committee to discuss proposed rules to implement HB 3961, December 4, 2009, Austin.
- *Meeting:* Health Professions Council Quarterly meeting, December 7, 2009, Austin.
- *Meeting:* NCSBN Board of Directors, December 9-11, 2009, Chicago.

- *Conference Call:* with Center for Nursing Workforce Studies staff to discuss disbursement of House Bill 3961 funds, December 14, 2009.
- *Conference Call:* Nurse Licensure Compact Administrators, December 14, 2009.
- *Conference Call:* with Executive Officers of Boards of Nursing to Discuss recent media attention on Boards of Nursing, December 18, 2009.
- *Conference Call:* Executive Officer Network, December 21, 2009.
- *Conference Call:* with Executive Officers of Minnesota and North Carolina Boards of Nursing to discuss *Just Culture*, January 4, 2010.
- *Meeting:* Nurse Licensure Compact Executive Committee Strategic Planning Meeting, January 8-9, 2010, Chicago.
- *Conference Call:* Nurse Licensure Compact Administrators January 11, 2010.

Mark Majek presented the Nurse Licensure “Tour of Texas” Seminar as follows:

- October 26, 2009, Arlington, Texas.
- November 2, 2009, Houston, Texas.
- November 16, 2009, Beaumont, Texas.
- November 19, 2009, Lubbock, Texas.
- November 23, 2009, Tyler, Texas.
- December 15, 2009, Harlingen, Texas.

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

Case Resolution Report
September 1, 2009 through November 30, 2009

Type of Action	Total RN and LVN
No Jurisdiction	2
No Violation	3
No Action	388
Insufficient Evidence	51
Admonish	3
Without Prejudice	163
TPAPN Referrals	98
EEP Referrals	18
Corrective Actions	3
Totals	729

LVN DISCIPLINARY ORDERS

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

DISCIPLINARY	
26	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Financially exploited a patient's family, in that she accepted gas money or allowed them to put gas in her personal car. Refused to take patient to rehabilitation because the family did not give her gas money. 1 Convicted of two counts of Unlawfully Driving a Motor Vehicle Upon a Highway While Intoxicated. 1 Falsified a government record, in that she signed the name of an employer on a Texas Department of Aging and Disability Services form, without the employer's knowledge. 1 Violated professional boundaries by disclosing confidential health information. 1 Falsely documented nursing visits. 1 Failed to comply with mandatory Board reporting requirements by not reporting an LVN who was involved in an incident in which a patient received second degree burns requiring hospitalization. 1 Convicted of five counts of Theft 1 Failed to adequately investigate and report an incident of abuse/neglect involving a CNA 1 Inappropriately delegated nursing tasks for several patients to a CNA including breathing treatments; falsely documented the administration of breathing treatments. 1 Practiced as a Nurse without a valid license 15 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Borrowed \$9,500.00 from a patient who had requested her to secure the money before surgery.
12	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Falsely document patient care after patient was discharged. 1 Failed to document the administration of Demerol twice to a patient not under her care. 1 Failed to appropriately assess and intervene when he was informed that a resident fell 1 Failed to assess and intervene for a resident after a housekeeper notified her that the resident was out of her wheelchair and undressed on the dining room floor. 1 Administered an additional, unscheduled dose of Hydromorphone without a physician's order. 1 Mistakenly administered 200mg Haldol Decanoate, in excess of physician's order 1 Administered Ativan to a patient in excess of physician's orders; inaccurately transcribed a physician's order in the medical record. 1 Failed to document nursing assessments. 1 Failed to document assessment and vital signs of a client after the client complained of headaches twice. Client later collapsed and expired several hours after life support was discontinued. 1 Failed to intervene when a nurse provided a patient with a disposable razor after the patient expressed suicidal thoughts earlier in the day. 1 Failed to ensure that professional boundaries of the nurse/client relationship were protected. 1 Failed to document an assessment regarding a change of condition and possible injury.

30	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 5 Noncompliance with Board Order for TPAPN participation. 1 Convicted of the felony offense of Illegal Transportation of Aliens for Commercial Advantage or Private Financial Gain. 1 Lacked fitness to practice nursing safely; submitted fraudulent, unauthorized prescriptions for Vicodin and Phenergan; granted a deferred sentence for the misdemeanor offense of Falsifying a Report to a Police Officer and the felony offense of Fraud Delivery of a Controlled Substance/Prescription Schedule III/IV/V. 1 Convicted of the felony offense of Statutory Rape. 1 Indicted for the offense of Theft in Connection with Health Care Fraud. 1 Fraudulently communicated prescriptions; granted a deferred sentence for the state jail felony offense of Obtaining Prescription by Fraud. 1 Pre-Trial Diversion for Driving While Intoxicated; Misappropriation and Intemperate use of Darvocet 1 Intemperate use of Propoxyphene 1 Deferred sentence for the state jail felony offense of Secure Execution of Document by Deception. 1 Extensive criminal history from 2002 through 2007 resulting in 16 offenses. 1 Failed to assess and evaluate the status of a patient, patient had been observed by a corrections officer lying on the floor with a pool of brown liquid or blood around him. 1 Convicted of Count IS Healthcare Fraud, Aiding and Abetting and Count 19S Conspiracy to Commit Healthcare Fraud. 1 Failed to disclose three charge of Driving While Intoxicated; intemperate use of Alcohol, Oxazepam and Propoxyphene 1 Lacked fitness to practice safely due to exacerbation of a previous illness and onset of new illnesses. 12 Submitted a statement of Voluntary Surrender
12	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Withdrew Morphine, Buprenorphine and Hydromorphone without a physician's order, failed to document the administration and failed to follow policy and procedures for wastage; Misappropriated Morphine, Hydromorphone and Hydrocodone. 1 Intemperate use of Marijuana. 1 Misappropriated Ambien, Xanax, and Hydrocodone. 1 Withdrew narcotics from the pyxis, but failed to document the administration or follow policy and procedures for wastage. 1 Intemperate use of Benzodiazepine, Propoxyphene, and Marijuana. 1 Convicted of two counts of the misdemeanor offense of Driving While Intoxicated. 1 Misappropriated Morphine; Intemperate use of Benzodiazepines, Morphine, and Opiates. 3 Removed medications from the Pyxis system and failed to document the administration and failed to follow procedures for wastage. Misappropriated or failed to prevent the misappropriation of medications. 1 Attempted to harm herself by taking an excessive amount of Nortriptylin. 1 Misappropriated Valium, Xanax, Ativan, Hydrocodone, and Lidocane.

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: September 1, 2009, through November 30, 2009

DISCIPLINARY	
25	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Falsified the medical record of a patient in that she initialed that the end instrument count was correct, when in fact th count had not been done. 1 Falsified a physicians order in that she altered the time of the physicians order. 1 Ingested Lomotil which had been misappropriated by a co-worker. 1 Misappropriated Lomotil to administer to a co-worker. 1 Breached patient confidentiality and rights by showing photos of patient to unauthorized persons. 1 Allowed nursing visits to occur for several patients without obtaining physician's orders. 1 Falsely documented that urine was collected from a newborn. 1 Falsified monthly Combined Adult/Pedi Comprehensive Emergency Cart Checklist. 2 Failed to comply with mandatory Board reporting requirements by not reporting an LVN who was involved in an incident in which a patient received second degree burns requiring hospitalization. 2 Practiced as a Nurse without a valid license or certification. 12 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Failed to adequately investigate and report an incident of abuse/neglect involving a CNA
9	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Failed to intervene when a nurse provided a patient with a disposable razor after the patient expressed suicidal thoughts earlier in the day. 1 Administered Demerol although patient informed an allergy to Demerol. 1 Prepared a syringe with Lantus Insulin, without a witness and without documenting it. 1 Provided a patient with a disposable razor after the patient expressed suicidal thoughts earlier in the day. 1 Documentation errors. 1 Failed to re-start the intravenous infusin of Lasix for a patient. 1 Failed to assess and/or document the post-operative vital signs of a patient 1 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history. 1 Practiced without a valid license or certificate.
28	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 3 Noncompliance with previous Board Order. 1 Indicted for the offense of Theft in Connection with Health Care Fraud. 1 Fraudulently communicated prescriptions; granted a deferred sentence for the state jail felony offense of Obtaining Prescription by Fraud. 1 Lacked fitness to practice safely due to exacerbation of a previous illness and onset of new illnesses. 1 Failed to disclose three charge of Driving While Intoxicated; intemperate use of Alcohol, Oxazepam and Propoxyphene 1 Lacked fitness to practice in that she made multiple inappropriate nursing note entries. 1 Administered Ativan instead of Xanax; discharged patient without a physicians order, patient was later found dead 1 Misappropriated Hydrocodone and Xanax; obtained Hydrocodone and Xanax through forged prescription. 1 Deferred sentence for the felony offense of Possession of a Controlled Substance 1 Misappropriation and Intemperate use of Oxycodone 1 Prescribed penicillin to four separate patients who had an allergy to penicillin 1 Withdrew Morphine and failed to document the administration, follow policy and procedures for wastage and failed to take precautions to prevent misappropriation. Intemperate use of Opiates and Oxazepam. 14 Submitted a statement of Voluntary Surrender

TPAPN BOARD ORDER

- 1 Withdrew Morphine, Buprenorphine and Hydromorphone without a physician's order, failed to document the administration and failed to follow policy and procedures for wastage; Misappropriated Morphine, Hydromorphone and Hydrocodone.
- 2 Intemperate use of Marijuana.
- 1 Withdrew narcotics from the pyxis, but failed to document the administration or follow policy and procedures for wastage.
- 1 Intemperate use of Benzodiazepine, Propoxyphene, and Marijuana.
- 1 Misappropriated Morphine; Intemperate use of Benzodiazepines, Morphine, and Opiates.
- 1 Removed medications from the Pyxis system and failed to document the administration and failed to follow procedures for wastage. Misappropriated or failed to prevent the misappropriation of medications.
- 1 Attempted to harm herself by taking an excessive amount of Nortriptylin.
- 1 Pre-Trial Diversion for the third degree felony offense of Fraud Possession of a Controlled Substance
- 1 Misappropriation of Ativan and Demerol; Intemperate use of Morphine.
- 1 Misappropriated Vicodin ES/Lortab, Morphine Sulfate, Tylenol with Codeine #3, and Tylenol with Codeine #3 Elixir; Intemperate use of Vicodin
- 1 Misappropriated Lortab and Dilaudid; Intemperate use of Hydromorphone and Ethyl Glucuronide.
- 1 Convicted of Driving While Intoxicated.
- 1 Convicted of Assault Causing Bodily Injury and two counts of Driving While Intoxicated.
- 1 Left nursing assignment without notifying appropriate personnel; Intemperate use of Benzodiazepines and Barbiturates.
- 1 Intemperate use of Dilaudid.
- 1 Charged with two counts of the offense of Possession of Substance in Penalty Group 4, Reckless Driving; Intemperate use of Vicodin, Suboxone, and Opiates.
- 1 Convicted of the offense of Driving While Intoxicated - 3 misdemeanor counts and 2 felony counts..
- 1 Convicted of two counts of Driving While Intoxicated.
- 1 Attempted to obtain Norco fraudulently.

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

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

80	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 10 Disciplinary action taken by another licensing authority 1 Convicted of third degree felony offense of Unlawfully Passing as True, a Forged Instrument in Writing. 1 Participated in the New Jersey Board Monitoring Program 1 Deferred probation for the state jail felony offense of Forgery of a Financial Instrument; convicted of the state jail felony offense of Forgery of a Financial Instrument; two counts of Theft of Property by Check. 1 Convicted of Petty Larceny 1 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 2 Denial of Licensure 63 No Grounds for Denial
447	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Entered treatment for alcohol abuse. 1 Convicted of the misdemeanor offenses of Theft and Indecent Exposure. 1 Convicted of the state jail felony offense of Credit Card Abuse and Forgery of a Financial Instrument. 1 Convicted of the state jail felony offense of Diving While Intoxicated with a Child Under Fifteen. 1 Entered residential treatment for alcohol abuse; convicted of the misdemeanor offenses of Driving While Intoxicated and Possession of Marijuana. 2 Disciplinary action taken by another licensing authority. 1 Deferred probation for the felony offense of Possession of Cocaine. 1 Diagnosed with Schizo-affective Disorder. 1 Deferred probation for the misdemeanor offenses of Unlawfully Carrying a Weapon, Possession of Marijuana and Possession of Drug Paraphernalia. 1 Convicted of two counts of the misdemeanor offense of Driving While Intoxicated. 1 Convicted of the felony offense of Possession of Stolen Property and misdemeanor offense of Reckless Conduct. 1 Convicted of the misdemeanor offenses of Driving while Intoxicated - 2 counts and Possession of Marijuana - 2 counts. 1 Article 15 - Possession of LSD. 1 Convicted of three counts of the misdemeanor offense of Assault Causing Bodily Injury. 1 Deferred probation for the misdemeanor offense of Possession of Marijuana; convicted of the misdemeanor offenses of Unlawfully Carrying a Weapon and Assault Causing Bodily Injury. 1 Convicted of the misdemeanor offenses of Possession of Marijuana and Driving While Intoxicated. 1 Convicted of the felony offenses of False Statement on Firearms. 1 Convicted of the misdemeanor offenses of Fleeing Police Officer and two counts of Driving While Intoxicated. 1 Deferred probation for the felony offense of Illegal Use of Credit Card. 1 Convicted of the misdemeanor offenses of Shoplifting and two counts of Theft. 1 Deferred probation for state jail felony offense of Forgery of a Financial Instrument and Theft of Property. 1 Convicted of first degree felony offense of Possession with Intent to Deliver a Controlled Substance. 1 Pre-Trial Diversion for state jail felony offense of Secure Execution of Document by Deception. 1 Non-disclosure of Criminal History 420 No Grounds for Denial/Youthful Indiscretion 2 Denial of Licensure

