

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

NCSBN Releases New Video on Substance Use Disorders: *Substance Use Disorder in Nursing* tackles one of the most serious problems facing nursing today. The video provides a comprehensive look at the issue of substance use disorder and covers: facts about substance use disorder; nurses with substance use disorder; identification and reporting Investigation and intervention for the nurse manager; treatment and alternative to discipline programs; and recovery and return to practice. It can be viewed at <https://www.ncsbn.org/4659.htm>.

NCSBN e-Notify Service: This service delivers real-time notification to employers about nurses in their employ. The system provides licensure and publicly available discipline data directly as the information is entered into the Nursys database by boards of nursing. Employers can chose the types and frequency of notifications such as expiration of license and discipline on a license. Currently there are 266 Texas nursing employers with 9,917 nurses enrolled in e-Notify.

NCSBN Appoints CORE Disciplinary Subcommittee: The Commitment to Ongoing Regulatory Excellence (CORE) Committee will focus this year on development of Disciplinary Best Practices through a subcommittee. Anthony Diggs, Texas Board of Nursing Enforcement Director, has been appointed to this subcommittee.

NCSBN Raises NCLEX-PN Passing Standard: NCSBN Board of Directors voted on December 10, 2013 to raise the passing standard for the NCLEX-PN examination beginning April 1, 2014 with implementation of the 2014 NCLEX-PN Test Plan. This new passing standard will remain in effect through March 31, 2017. The change in the standard was made because safe and effective entry-level LVN practice requires a greater level of knowledge, skill, and abilities than was required in 2010 when the current standard was established.

NCSBN Changes Education Program Codes: NCSBN is changing the length and format of education program codes to accommodate the growing number of nursing programs. Future codes will consist of 10 digits, instead of 5, effective April 1, 2014. BON staff are working with NCSBN Staff to assure a smooth transition for our programs.

New Estimates on the Number of U.S. Hospital Deaths from Medical Mistakes: New research from the *Journal of Patient Safety* estimates the number of preventable medical mistakes contributing to patient death is somewhere between 210,000 to 440,000 each year. These estimates are significant because they are considerably higher than previous estimates. In 1999, the Institute of Medicine published the "To Err Is Human" report, which estimated that 98,000 people a year die because of mistakes in hospitals. In 2010, the Office of Inspector General for the Department of Health and Human Services said that, in a given year, poor hospital care contributed to the death of 180,000 Medicare patients. http://journals.lww.com/journalpatientsafety/Fulltext/2013/09000/A_New_Evidence_based_Estimate_of_Patient_Harms.2.aspx

Health and Human Services (HHS) Awards Grants to Assist Veterans Transitioning into Nursing Careers:

Recently, US Health and Human Services (HHS) announced the recipients of a cumulative \$2.8 million in grant funding. These recipients include nine institutions that will receive grants to help veterans obtain baccalaureate nursing degrees. The institutions received funding under the Nurse Education, Practice, Quality and Retention: Veterans' Bachelor of Science Program (VBSN) by HHS and the Health Resources and Services Administration (HRSA). VBSN helps veterans by using their combat medical skills as a base and awarding academic credit for prior military experience and training. Over four years, these grants will help more than 1,000 veterans become baccalaureate prepared nurses. University of Texas at Arlington is a recipient of one of these grants.

<http://www.hhs.gov/news/press/2013pres/09/20130919c.html>

Recent Study Indicates that Increased Nurse Staffing Reduces Likelihood of Avoidable Readmissions:

A new study published in *Health Affairs* concludes that increasing nurse staffing levels can help hospitals avoid penalties for avoidable readmissions under the Affordable Care Act's (ACA) Hospital Readmissions Reduction Program, a new federal effort to reduce Medicare expenditures on preventable hospital readmissions. The study looks at nurse staffing levels and readmission data from 2,826 hospitals. Researchers discovered that hospitals with high nurse staff levels had 25 percent lower odds of receiving Medicare penalties for avoidable readmissions compared to hospitals with lower nurse staff ratios. Hospitals with high nurse staff levels had 41 percent lower odds of receiving maximum penalties for readmissions. Authors suggest that investment in nursing is a potential system level intervention for policymakers to consider in the new post-ACA regulatory environment as they examine strategies for readmissions reductions.

<http://www.modernhealthcare.com/article/20131008/BLOG/310089995/increased-nurse-staff-levels-tied-to-lower-odds-of-medicare>

Leaders from Institute of Medicine (IOM) and the Robert Wood Johnson Foundation (RWJF) Reflect on the Progress of Landmark Report:

In 2010, the IOM released *The Future of Nursing: Leading Change, Advancing Health*, which included a number of recommendations for transforming the nursing profession, such as removing barriers to practice and care, expanding opportunities for nurses to serve as leaders and increasing the proportion of nurses with a baccalaureate degree (BSN) to 80 percent by 2020. In a recently released commentary, leaders from IOM and the RWJF reflect on the progress made in the past three years towards fully achieving the recommendations made in the report. For example, in 2010, the percentage of employed nurses with a BSN or higher degree was 49 percent; as of 2011 that percentage has risen to 50 percent. Progress is likely to accelerate in the years to come because between 2011 and 2012, there was a 22.2 percent increase in enrollment in RN to BSN programs and a 3.5 percent increase in enrollment in entry-level BSN programs.

Widespread Adoption of Health IT Utilization Will Significantly Impact Future Demand for Physicians:

In a recent article in *Health Affairs*, researchers authored a comprehensive review of the scientific evidence related to the impact of health information technology (IT) on key workforce demand, productivity factors and primary care shortage predictions. Health IT includes, among other things, electronic health records and technologies that help facilitate telehealth. Authors suggest that if 30 percent of community-based physician offices fully implement health IT systems, the demand for physicians would decrease by approximately 4 to 9 percent. Delegation of care to nurse practitioners and physicians assistants supported by health IT could reduce future demand for primary care physicians by 4 to 7 percent. Delegation of care from specialists to generalist physicians could reduce demand for specialists by 2 to 5 percent. Finally, the use of health IT could also address regional physician shortages by potentially enabling 12 percent of care to be delivered remotely or asynchronously. The impact of these estimates could double if 70 percent of U.S. ambulatory care adopted comprehensive health IT systems. <http://content.healthaffairs.org/content/32/11/1998.full.pdf+html>

Centers for Medicare and Medicaid (CMS) to Launch Fingerprint-based Background Check Initiative Aimed at Reducing Medicare Fraud: A provision in the Affordable Care Act (ACA) allowing the Health and Human Services (HHS) a new mechanism for identifying Medicare fraud, the fingerprint-based background check. As a result, CMS plans to award a contract early next year to a vendor responsible for conducting fingerprint-based background checks on providers and suppliers considered “high-risk,” specifically, executives with at least 5 percent direct or indirect ownership of newly enrolled home health care agencies and durable medical equipment agencies. These businesses represent significant and persistent sources of Medicare fraud. These executives must not have convictions of felony charges for certain crimes committed within the last 10 years, including murder, rape, extortion, embezzlement, tax evasion or any act endangering Medicare beneficiaries. If the executives fail the background check, CMS could prohibit them and their company from participating in Medicare Parts A and B. CMS hopes that by performing the checks criminals intent on committing fraud may be deterred from enrolling.

<http://www.modernhealthcare.com/article/20131218/NEWS/312189952/three-years-after-final-rule-cms-set-to-launch-fingerprinting-effort>

STATE ISSUES

Health Professions Council: The Health Professions Council (HPC) met on December 9, 2013 for its regular quarterly meeting. The Council reviewed reports on the budget, training, and technology. The new Web Administrator for the Council has been working with BON staff to implement our new website and maintain updates to the current site in the interim.

BOARD ISSUES

BON Bulletin Articles : The January issue of the *Board of Nursing Bulletin* contains: 1.) an article on issuance of a second license for APRNs; 2.) an article announcing the appointment of Monica Hamby to the Board; and 3.) a Frequently Asked Questions (FAQ) on a nurse’s duty to initiate CPR.

Board Meeting: Members will have an opportunity to tour the Texas A&M Rural and Community Health Institute KSTAR center in Round Rock, Texas on Wednesday, January 22, 2013 from 2:30 - 4:30 pm. Consistent with the Board’s direction, there will be a Board Development session on Friday on RN and LVN practice in community based settings.

AGENCY ISSUES

Staff: Several new staff will attend the January Board meeting as part of their orientation. Nurse Investigator, Margaret (Maggie) Ortiz joined Board staff in November. She has been licensed since 2000 and brings experience in critical care settings, primarily emergency room. Ciara Williamson, administrative assistant for APRN, transferred to our agency from a licensing analyst position with the Texas Medical Board. Customer Service Representatives Simon Barragon, Deborah Hamerly, Kyong Monroe, Elizabeth Garza, and Data processing Administrative Assistants. Ching Yu Hsu, and Stephanie Mcrae are also new to the Board.

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 first quarter of Fiscal Year 2014. (**See Attachment A**).

Security of the jurisprudence examination has been enhanced through our contract with E-Strategies. 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.

Criminal Background Checks: In the first quarter of FY 2013, the agency did over 19,000 criminal background checks (CBCs). The random audits on license renewal were completed in July 2013. In the first quarter of FY 2014, over 9,000 CBCs were conducted. The decreased number of CBC audits will, in part, be offset by Student CBCs which will be effective September 2014. Any effect on the number of disciplinary actions resulting from positive criminal history will not be appreciated until after FY 2014.

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. NCSBN has approved an extension of the project effective January 2014. 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 2014. Staff have currently uploaded 1,523 Declaratory Orders into the our imaging database with 7,125 files remaining to be prepped, coded and uploaded. At current rate, estimated time to completion will be 37.5 weeks. Staff are working with NCSBN to implement automated system reports of APRN and Temporary Licensure information into NURSUS. These data has not been included in NURSUS prior to this time.

Tour of Texas: Mark Majek conducted a tour of 21 sites throughout the state during the 1st quarter of the fiscal year. There were over 700 attendees at the meetings. Topics 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 were invited to attend.

Information Technology Updates: In the first quarter, the Board experienced a system failure, and worked with a vendor to develop a new web site and mobile application. The system failure was with an internal database corruption in the BON email exchange server. This corruption took the Board of Nursing Email system totally offline for two days initially, and caused intermittent interruptions of services for three weeks. The corruption of the email system was extensive. The agency contracted with two consultants and was finally able to resolve the issue, restoring the email system to a fully functional state. Due to good backup procedures, the total amount of data lost was minimal. This system failure caused us to delay the setup of the disaster recovery site to the end of the 2nd quarter.

The BON new website and mobile application project are in process. The website will be launched the 2nd quarter of this year. We have converted over 1500 individual pages to the current total of about 350 pages by condensing, rewriting and removing redundancy of information on the website. Our aim has been to make an easily navigable website that allows the user to easily and intuitively find the information they are looking for in three clicks of the mouse. The new website has been reviewed internally to improve the website. Staff have also been working on the creation of a mobile application, in partnership with BigHitProductions. The

mobile applications is in the final stage of the Software Development Cycle and will also be released in the 2nd quarter of this year.

On September 1st the agency began our partnership with e-Strategy Solutions, Inc. (ESS) who took over the online Nursing Jurisprudence Examination, the Nursing Jurisprudence prep course, the registration and fees for the Board workshops, and the Continuing Education audit. The Nurse database has been recoded to allow for real time inter-connectivity between ESS and BON. All Nursing Jurisprudence Examination testers test online and results are reported to the BON system in real time.

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

1. Updated the Declaratory Order information on all applications
2. Added content to Proposed rules
3. Added content to Adopted Rules
4. Posted 5 job postings
5. Added a new Webinar on the website
6. Updated the content on the Courses that Meet Board Stipulations
7. Updated the Peer Review Webinar links
8. Updated website to reflect changes in November Workshop
9. Added Sept 10, 2013 Eligibility and Disciplinary meeting agenda
10. Added October Bulletin to the website
11. Updated Statistics and Figures for October 2013
12. Updated LVN and RN Nursing Education Programs
13. Updated a Board ordering form for Publications
14. Added October Board Meeting agenda and materials to the website
15. Posted the amended 2013 Nursing Practice Act
16. Updated Nursing Jurisprudence Examination and Continuing Education links to e-Strategy Solutions, Inc. website
17. Updated Board Member Profiles page
18. Updated Affidavit Of Graduation for Texas schools
19. Updated Delegation Rules
20. Updated website for upcoming Informal Information Session for parties interested in submitting new nursing education program proposals
21. Added November 12, 2013 Eligibility and Disciplinary meeting agenda
22. Updated Nursing Jurisprudence Examination and the Nursing Jurisprudence Examination prep course to seamlessly connect in with e-Strategy Solutions, Inc.

See Information Technology Report above for update on new Board website development.

New Lobby Kiosk: A new wall kiosk has been installed to allow visitors to sign in easily and to observe updates, workshop schedules, videos, and the agency website while they wait for assistance or appointment.

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

Executive Director

Conference: American Academy of Nursing, October 18 - 20, 2013, Washington, D.C.

Conference Call: Nurse Licensure Compact Administrators (NLCA) Compliance Committee, October 24, 2013.

Meeting: Advanced Practice Registered Nurse (APRN) Deans & Directors Meeting, October 30, 2013, Austin.

Meeting: NCSBN Member Board Profile Committee, November 4 - 5, 2013, Chicago.

Presentation: Texas Nurses Association Annual Leadership Conference – Forces and Factors, Issues and Influencers: Knowledge Nurses Need to Lead, *BON Update: Follow-up to the 83rd Legislative Session*, November 6, 2013, Houston.

Conference Call: NLCA Meeting, November 12, 2013.

Conference Call: Teleconference with NCSBN, Texas A&M RCHI KSTAR representatives, November 13, 2013.

Meeting: With representatives of Lamar State Port Arthur to discuss January Board meeting recommendations, November 14, 2013, Austin.

Meeting: Texas Team Practice Committee meeting, November 15, 2013, Dallas (attended through teleconference).

Meeting: NCSBN Executive Officer Forum, November 18 - 19, 2013, Chicago.

Conference Call: Update on the UTMB Correctional Managed Care Tele-Health After Hours Program with staff from UTMB CMC, November 20, 2013.

Meeting: Meeting with Texas Medical Board, Department of Public Safety and Texas State Board of Pharmacy, November 20, 2013, Austin.

Meeting: APRN Compact Workgroup, December 2 - 3, 2013, Salt Lake City.

Meeting: NCSBN Board of Directors, December 9 - 11, 2013, Chicago.

Meeting: With Staff of the Center for Nursing Workforce Studies and Texas Nurses Association to discuss the Nursing Demographics and Trends Report for 2014, December 13, 2013, Austin.

Meeting: NCSBN Board of Directors Planning Meeting, January 6 - 7, 2013, Savannah, Georgia.

Meeting: With Staff from Texas Center for Nursing Workforce Studies and Texas Nurses Association to discuss documentation of the history of the Center, January 8, 2013, Austin.

Conference Call: NCSBN Policy Call, January 16, 2013.

Director of Operations

Presentations: 3rd Tour of Texas in/on the following locations and dates:

Dallas – October 9, 2013
El Paso – October 10, 2013
Houston – October 21, 2013
Midland – October 23, 2013
San Antonio – October 25, 2013
Texarkana – October 28, 2013
Galveston – October 30, 2013
Beaumont – November 1, 2013
Tyler – November 12, 2013
Abilene – November 13, 2013
Amarillo – November 15, 2013
Waco – November 18, 2013
Harlingen – November 21, 2013
Wichita Falls, November 22, 2013

Director of Nursing and Nursing Consultants

Presentation: TAVNE, October 18, 2013, Austin.

Meeting: Telemedicine/Telehealth Subcommittee Meeting for Telemonitoring Policy, HHSC, October 21, 2013, Austin.

Presentation: Delegation Rules to Austin Community College students and faculty, October 22, 2013, Austin.

Conference Call: Texas Board of Nursing Task Force to Study Implications of Growth in Nursing Education Programs, Orientation, October 25, 2013.

Presentation: LVNAT Meeting, October 26, 2013, Round Rock.

Presentation: APRN Licensure and Practice in Texas: Meeting the Challenges, Meeting the Needs Workshop, October 29, 2013, Austin.

Presentation: APRN Deans & Directors Meeting, October 30, 2013, Austin.

Meeting: Developmental Disability Nurses Association Conference, October 31-November 1, 2013, Austin.

Meeting: ACEN Conference, November 1, 2013, Dallas.

Meeting: Texas Board of Nursing Task Force to Study Implications of Growth in Nursing Education Programs, November 5, 2013, Austin.

Meeting: TPAPN Fall Advocate & Training Workshop, November 8, 2013, Austin.

Meeting: Teleconference with NCSBN, Texas A&M RCHI KSTAR representatives, November 12, 2013, Austin.

Presentation: Protecting Your Patients and Your Practice Workshop, November 13, 2013, Austin.

Presentation: Scope of Practice for School Nurses to DFW School Nurse Administrators, November 14, 2013, Cedar Hill, Texas.

Meeting: Meeting with Texas Medical Board, Department of Public Safety and Texas State Board of Pharmacy, November 20, 2013, Austin.

Meeting: LVN On-Call Pilot Meeting, DADS, November 22, 2013, Austin.

Conference Call: TAVNE Executive Board and Legislative Committee to discuss Open Forum Request, December 2, 2013, Austin.

Meeting: Meeting with Texas Medical Board to discuss the SB 406 FAQs, December 2, 2013, Austin.

Meeting: Conference Call with Texas Higher Education Coordinating Board, December 4, 2013, Austin.

Webinar: LVN Scope of Practice: What Every LVN, RN and Employer Should Know, December 5, 2013, Austin.

Presentation: Informal Information Session for parties interested in applying for new nursing education program approval, December 9, 2013, Austin.

Meeting: Meet with Texas A&M RCHI KSTAR representatives, December 11, 2013, Austin.

Meeting: With Staff of the Center for Nursing Workforce Studies and Texas Nurses Association to discuss the Nursing Demographics and Trends Report for 2014, December 13, 2013, Austin.

Meeting: Brown Bag Lunch Meeting with Texas Nursing Association to discuss current topics in nursing, December 19, 2013, Austin.

Meeting: Conference calls with Task Force Groups I, II, III and IV, January 8-9, 2014, Austin.

Presentation: Deans & Directors Orientation Meeting, January 10, 2014, Austin.

Meeting: NCSBN NCLEX Exam Committee Meeting, January 14-15, 2013, Chicago.

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

Case Resolution Report
September 1, 2013 through November 30, 2013

Type of Action	Total
No Jurisdiction	8
No Violation	6
No Action	846
Insufficient Evidence	121
Admonish	48
Without Prejudice	1059
TPAPN Referrals	116
EEP Referrals	7
Corrective Actions	82
Totals	2,293

LVN DISCIPLINARY ORDERS

Time frame: September 1, 2013, through November 30, 2013

DISCIPLINARY	
36	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 29 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 comply with mandatory reporting requirements by not reporting Charge Nurse for practice related misconduct 1 Falsely documented the administration of medications to patients 1 Disciplinary action taken by another licensing authority 1 Violated the nurse-patient relationship and patient confidentiality when he video taped a procedure 3 Practiced nursing without a valid license
13	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Forcefully attempted to administer Novolin Insulin injection to a patient 1 Administered a PPD (purified protein derivative) skin test even though patient refused informing a previous anaphylactic reaction in the 1970s 1 Admitted to the diversion of narcotics 1 Administered Benadryl 25mg IM to a co-worker without a physician's order 1 Admitted to accessing the medical record of a co-worker in order to obtain emergency contact information 1 Took patient from his home and provided nursing care for him in her personal residence 1 Disclosed confidential patient information to a family member 1 Failed to obtain a physician order of parental consent before administering two pills of Pamabrom with Acetaminophen 1 Convicted of Driving While Intoxicated and Driving While License Invalid 1 Transferred care to an unauthorized family member that was not trained to provide patient care 1 Administered g-tube medications, tracheostomy care, and provided wound care without a physician's order 1 Failed to protect confidential information by posting a picture of the resident on Facebook after the resident expired 1 Failed to adequately document the administration of g-tube medications and/or nebulizer treatments
11	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Deferred judgment for two counts of Possession of Marijuana; convicted of Driving While Intoxicated <p>TPAPN CONFIDENTIAL BOARD ORDER</p> <ul style="list-style-type: none"> 1 Misappropriation of Norco; intemperate use of Hydrocodone and Hydromorphone 1 Engaged in the intemperate use of Alcohol while enrolled in the Extended Evaluation Program (EEP) 1 Disclosed impairment resulting in a criminal charge of Disorderly Conduct Discharge/Display Firearm 1 Convicted of two counts of Driving While Intoxicated; and two counts of Reckless Driving 1 Convicted of Driving While Intoxicated 2nd, evaluation recommended recovery program participation 1 Intemperate use of Opiates 1 Withdrew Klonopin without a physician's order; falsely documented the administration of Oxycontin 1 Convicted of Possession of a Controlled Substance PG 3<28G 1 Misappropriation of Dilaudid <p>TPAPN ENFORCED SUSPENSION BOARD ORDER</p> <ul style="list-style-type: none"> 1 Intemperate use of Hydromorphone, Meperidine, and Oxycodone

VOLUNTARY SURRENDER

- 9 Submitted a statement voluntarily surrendering their license to practice nursing
- 1 Failed to maintain professional boundaries by writing at least eight prescriptions for controlled substances for her husband; tested positive for Alaprazolam and Amphetamines
- 2 Disciplinary action taken by another Licensing Authority
- 1 Intemperate use of Opiates and Barbiturates
- 1 Pending state jail felony charge of Endangering a Child
- 1 Failed to assess a resident that had fallen
- 1 Deferred judgment for third degree felony Fraud
- 1 Submitted statement of surrender in lieu of complying with Board Order
- 1 Deferred judgment for state jail felony Fraud Use/Poss Identifying Into # of Items < 5
- 1 Convicted of third degree felony Forgery From an Elderly Person and Credit Card Abuse of an Elderly Person; deferred judgment for first degree felony Theft From an Elderly Individual \$100,000 - \$200,000
- 1 Deferred judgment for third degree felony Fraud (A Schedule III Controlled Substance)
- 1 Convicted of felony Wrongful Disclosure of Health Information
- 1 Convicted of felony Manslaughter in the First Degree
- 1 Lacked fitness to practice in that he stated "all I think about lately is killing myself and other people"
- 1 Deferred judgment for second degree felony Indecency with a Child Sexual Contact
- 1 Convicted of third degree felony Credit/Debit Card Abuse-Elderly
- 1 Deferred judgment for second degree felony Aggravated Assault With a Deadly Weapon
- 1 Intemperate use of Methamphetamine
- 1 Administered Hydrocodone discharged from computer system by prior nurse; overrode Pyxis, then withdrew and administered an additional dose of the medication
- 11 Non-compliance with previous Board Order

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: September 1, 2013, through November 30, 2013

356	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 5 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination 6 Denial of Licensure 3 Receiving treatment for Bipolar Disorder 1 Convicted of felony Possess with Intent to Distribute a Controlled Substance - Marijuana 1 Deferred judgment for state jail felony Securing Execution of Document by Deception 1 Convicted of two counts of Driving While Intoxicated and three counts of Theft 1 Convicted of Fail to Identify a Fugitive From Justice and two counts of Theft 1 Convicted of class C felony Unauthorized Use of Motor Vehicle 1 Convicted of Driving While Intoxicated, Bail Jumping and 2 counts of Fail of Identify Fugitive From Justice 1 Convicted of felony Maintaining a Drug Involved Premise 1 Deferred judgment for state jail felony Credit/Debit Card Abuse 1 Convicted of Possession of Marijuana and three counts of Theft 1 Deferred judgment for Criminal Mischief and Unlawful Carrying Weapon and state jail felony Possession of Marijuana and convicted of Theft 1 Convicted of federal offense of Bank Fraud 1 Deferred judgment for felony Delivery of Controlled Substance and misdemeanor Criminal Trespass 1 Convicted of state jail felony Possession of Marijuana 4 oz to 5 lbs 1 Deferred judgment for Assault and convicted of Driving While Intoxicated, Unlawfully Carrying Weapon and Discharge Firearm in Metro Area 1 Arrested for felony Theft of Property >=\$1500 <\$20k with charges dismissed after restitution paid in full 1 Convicted of Assault Causes Bodily Injury - Family Member 1 Deferred judgment for UCW - Hangun, Fail ID Fugitive and sate jail felony of Forgery 1 Convicted of Possession of Dangerous Drug, Possession of Controlled Substance and two counts DWI 1 Convicted of Theft w/ Check, Theft 50 - 500, Theft, Unauthorized Use of Motor Vehicle, Theft of Property and second degree felony Possession of a Controlled Substance PG < 28G 4 Convicted of two counts of Driving While Intoxicated 1 Convicted of state jail felony Evading Arrest, misdemeanor Attempted Theft, Possession of Marijuana, Obstructing Highway Passageway, Possession of a Controlled Substance and Driving While Intoxicated 1 Convicted of felony Obtain Property by False Pretense and three counts of misdemeanor Theft 1 Deferred judgment for Deadly Conduct and convicted of Attempt to Commit Possession of a Controlled Substance 1 Falsified an approval to sit for the NCLEX Examination 1 Convicted of Possession of Stolen Vehicle and two counts of Public Intoxication 1 Deferred judgment for felony Obtaining Cash or Merchandise by Bogus Check 1 Deferred judgment for Theft and Disorderly Conduct, convicted of Display Fictitious Inspection 1 Treated for narcotic problems 1 Arrested for felony Criminal Mischief with charges dismissed after restitution paid in full and deferred judgment for Theft 1 Deferred judgment for state jail felony Burglary of a Building 1 Deferred judgment for Evading Detention; convicted of two counts Driving While Intoxicated 1 Convicted of Attempted Hindering Secure Creditors and deferred judgment for Theft by Check 1 Deferred judgment for Cruelty to an Animal and convicted of Assault Causes Bodily Injury 1 Convicted of Driving While Intoxicated and Possession of class 5 felony Cocaine 1 Deferred judgment for state jail felony Endangering a Child and third degree felony Abandoning or Endangering a Child 1 Deferred judgment for Criminal Mischief; convicted of federal offense Transporting an Alien Within US 3 Disciplinary action taken by another licensing authority 285 No Grounds for Denial/Youthful Indiscretion
36	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 5 Disciplinary action taken by another Licensing Authority 1 Convicted of Operating While Intoxicated, Theft, and Public Intoxication 1 Entered Outpatient treatment with The Counseling Center, Mental Health and Substance Abuse Services 1 Convicted of State Jail felony Possession of a Controlled Substance in Penalty Group 1 2 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 26 No Grounds for Denial

LVN CORRECTIVE ACTION

Time frame: September 1, 2013, through November 30, 2013

32	CORRECTIVE ACTION <ul style="list-style-type: none">1 Non disclosure of misdemeanor Theft1 Non disclosure of misdemeanor Theft by Check1 Non disclosure of misdemeanor Theft of Service14 Non disclosure of misdemeanor Driving While Intoxicated2 Non disclosure of misdemeanor Driving While Suspended1 Non disclosure of misdemeanor Criminal Mischief1 Non disclosure of misdemeanor Assault3 Non disclosure of misdemeanor issuance of a Back Check1 Non disclosure of misdemeanor Assault Causes Bodily Injury1 Non disclosure of misdemeanor Cruelty to Animals1 Non disclosure of pending third degree felony Possession of Controlled Substance4 Non disclosure of misdemeanor Disorderly Conduct1 Practiced Nursing without a valid license
7	ENDORSEMENTS <ul style="list-style-type: none">2 Non disclosure of misdemeanor Driving While Intoxicated2 Non disclosure of misdemeanor Theft1 Non disclosure of misdemeanor Simple Battery1 Non disclosure of misdemeanor Aggravated DWI1 Non disclosure of misdemeanor Public Intoxication
5	APPLICANTS/ PETITIONERS <ul style="list-style-type: none">1 Non disclosure of misdemeanor Disorderly Conduct1 Non disclosure of misdemeanor Driving Under the Influence of Alcohol under the Age of 211 Non disclosure of misdemeanor Carrying a Weapon1 Non disclosure of misdemeanor Theft >=\$50 <\$5001 Non disclosure of misdemeanor Obtain Property by Worthless Check

LVN DEFERRED DISCIPLINE

Time frame: September 1, 2013, through November 30, 2013

5	REMEDIAL EDUCATION - DEFERRED DISCIPLINE <ul style="list-style-type: none">1 Failed to obtain the pharmacy pre-filled 30 cc Epinephrine syringe as requested by surgeon1 Failed to document a verbal order for a normal saline fluid bolus1 Failed to document the administration of Heparin1 Failed to ensure that the hospital discharge medications orders were communicated to pharmacy1 Administered medication to two patients in error
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RN DISCIPLINARY ORDERS

Time frame: September 1, 2013, through November 30, 2013

DISCIPLINARY	
30	<p>FINE WITH REMEDIAL EDUCATION</p> <p>23 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 comply with mandatory reporting requirements by not reporting Charge Nurse for practice related misconduct 1 Failed to document patient assessments 1 Misappropriated six tablets of Levaquin for own personal use 1 Violated the nurse-patient relationship and patient confidentiality when he video taped a procedure 1 Wrote prescriptions for multiple medications without valid prescriptive authority 1 Removed Darvocet from the facility for an Inmate at a time the Inmate was off the unit 1 Practiced as an Acute Care Pediatric Nurse Practitioner without Board authorization
19	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Removed ten Hydrocodone tablets but failed to document the administration or follow procedures for wastage and the unused portion 1 Forcefully attempted to administer Novolin Insulin injection to a patient 1 Administered a PPD (purified protein derivative) skin test even though patient refused informing a previous anaphylactic reaction in the 1970s 1 Admitted to the diversion of narcotics 1 Failed to accurately documents the neurological status of a patient 1 Failed to have a second nurse verify the Patient Controlled Analgesia pump setting as required 1 Used her sister's identification badge to access secure areas while on duty 1 Failed to notify the surgeon of a critical blood glucose level 1 Removed a Morphine cartridge for a patient but did not initiate the administration until 2 ½ hours after 1 Obtained Digoxin Level from patient medical record without physician's order 1 Administered Benadryl 25mg IM to a co-worker without a physician's order 3 Disciplinary action taken by another licensing authority 1 Incorrectly administered Librium, folic acid and thiamine which was ordered for another patient; administered Lortab 15 milliliters in excess of physician's order 1 Failed to appropriately document the administration of patient medications and the wastage 1 Withdrew Metoprolol but failed to follow the facility's procedures for wastage of any unused portion 1 Admitted to accessing the medical record of a co-worker in order to obtain emergency contact information 1 Withdrew Rocephin from clinic supply and injected it into a co-worker without a physician's order

40	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 6 Submitted a statement voluntarily surrendering license to practice nursing 7 Disciplinary action taken by another Licensing Authority 1 Failed to maintain professional boundaries by writing at least eight prescriptions for controlled substances for her husband; tested positive for Alaprazolam and Amphetamines 1 Intemperate use of Methamphetamine 1 Deferred judgment for third degree felony Prescription Fraud 1 Convicted of third degree felony Credit/Debit Card Abuse-Elderly 3 Submitted statement of surrender in lieu of complying with Board Order 1 Deferred judgment for second degree felony Obtaining Controlled Substance Fraud-Schedule I/II 1 Intemperate use of Amphetamine and Temazepam; misappropriation of Dilaudid 1 Deferred judgment for second degree felony Aggravated Assault With a Deadly Weapon 1 Admitted self to Mayhill Hospital for mental health issues 1 Convicted of third degree felony offense Intoxication Assault 1 Deferred judgment for state jail felony Possession of a Controlled Substance of Less Than One Gram; namely: Methamphetamine 1 Misappropriated Hydrocodone, Morphine, Ativan, Percocet and Xanax 1 Administered Hydrocodone discharged from computer system by prior nurse; overrode Pyxis, then withdrew and administered an additional dose of the medication 1 Deferred judgment for second degree felony Burglary of Habitation 11 Non-compliance with previous Board Order
26	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Convicted of two counts of Driving While Intoxicated 1 Entered Florida Intervention Project for Nurses program 1 Entered the Recovery and Monitoring Program of New Jersey 1 Misappropriation and intemperate use of Morphine and Hydromorphone 1 Granted exception to Limited License Board Order to re-enter patient care <p>TPAPN CONFIDENTIAL BOARD ORDER</p> <ul style="list-style-type: none"> 1 Lacked fitness to practice in that she showed signs of being impaired; deferred judgment for Driving While Intoxication BAC >=0.15 1 Misappropriation of Norco; intemperate use of Hydrocodone and Hydromorphone 1 Convicted of Driving While Intoxicated 1st .15 1 Misappropriation of Fentanyl, Hydromorphone and Morphine 1 Engaged in the intemperate use of Alcohol while enrolled in the Extended Evaluation Program (EEP) 1 Misappropriated or failed to prevent the misappropriation of sixteen tablets of Lortab; Attempted to misappropriate Hydrocodone; intemperate use of Hydrocodone 1 Convicted of two counts of Driving While Intoxicated 1 Misappropriation of Dilaudid, Percocet, Phenergen and Norco; Intemperate use of Hydromorphone, Hydrocodone, Morphine, Oxycodone and Oxycodone 1 Lacked fitness to practice in that she showed signs of being impaired; misappropriated or failed to prevent the misappropriation of Hydrocodone and Fentanyl 1 Disclosed impairment resulting in a criminal charge of Disorderly Conduct Discharge/Display Firearm 1 Intemperate use of Cocaine, Hydromorphone and Benzodiazepines; misappropriated Dilaudid and Norco 1 Brought a bottle of wine in a thermal bag to a patients home and had to be awoken twice 1 Lacked fitness to practice in that she exhibited behavior which included confusion, difficulty answering simple questions 1 Entered residential treatment program 1 Misappropriated Hydromorphone; lacked fitness to practice in that she was found sleeping and appeared in a sedated state 1 Misappropriated Hydromorphone; deferred judgment for Driving While Intoxicated 1 Observed in drug -seeking behavior 1 Prior TPAPN Board Order; deferred judgment for Fraudulent Use of a Prescription; convicted of Driving While Intoxicated <p>TPAPN ENFORCED SUSPENSION BOARD ORDER</p> <ul style="list-style-type: none"> 1 Misappropriated Fentanyl; entered consent for voluntary surrender of Arizona nursing license 1 Non compliance with previous TPAPN Order 1 Entered Florida Intervention Project for Nurses program

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: September 1, 2013, through November 30, 2013

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APPLICANTS/ PETITIONERS

- 3 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination
- 6 Disciplinary action taken by another licensing authority
- 1 Treated for Opiate Dependence and Mood Disorder
- 1 Admitted to Austin Recovery Detox Program
- 4 Convicted of two counts of Driving While Intoxicated
- 1 Deferred judgment for State Jail felony Abandoning a Child and convicted of misdemeanor Assault
- 1 Admitted to inpatient treatment at La Hacienda Treatment Center
- 1 Deferred judgment for State Jail felony Fraudulent Use or Possession of Identifying Information
- 1 Participated in Substance Abuse Counseling
- 1 Deferred judgment for misdemeanor Theft and Criminal Mischief
- 1 Arrested for State Jail felony Tamper w/Government Record - Defraud or Harm with charges dismissed after restitution was paid in full
- 1 Treated for Paranoid State and Anxiety Disorder
- 1 Deferred judgment for State Jail felony Forgery of a Financial Instrument
- 1 Deferred judgment for felony Unlawful Possession of a Controlled Substance, to-wit Methamphetamine , Unlawful Possession of a Controlled Substance, to-wit Cocaine, Possession of a Controlled Substance Namely Methamphetamine less than one gram and misdemeanor Possession of Marijuana, Possession of a Controlled Substance and Possession of Dangerous Drug
- 1 Deferred judgment for Burglary Coin-Operated Machine and convicted of Driving While Intoxicated
- 1 Misappropriation of Dilaudid
- 1 Convicted of Criminal Mischief, Assault Causes Bodily Injury, Public Intoxication and two counts of Assault
- 1 Convicted of Disorderly Conduct - Public Intoxication, Drunk in Public and Driving Under the Influence
- 1 Deferred judgment for Third Degree felony Credit Card Abuse and misdemeanor Theft
- 1 Convicted of Driving While Intoxicated and Evading Arrest Detention
- 1 Convicted of State Jail felony Possession of a Controlled Substance and misdemeanor Fraud Destroy, Removal or Writing and Driving While License Invalid
- 1 Convicted of Theft of Property by Check and deferred judgment for State Jail felony Theft and Obtaining Merchandise by Means of False and Bogus Check
- 1 Convicted of 24 counts of Issuance of a Bad Check
- 1 Deferred judgment for Possession of Marijuana and conviction for Driving While Intoxicated
- 1 Deferred judgment for Attempted Possession of a Controlled Substance - Methamphetamine
- 1 Deferred judgment for Second Degree felony Delivery of Marijuana
- 1 Convicted of Possession of Marijuana, Public Intoxication and two counts of Driving While Intoxicated
- 1 Convicted of Driving While Intoxicated and Fail to Identify a Fugitive from Justice
- 1 Convicted of Possession of Marijuana, DWI and two counts of Possession of Drug Paraphernalia
- 1 Convicted of two counts of Possession of Alcoholic Beverage by Minor
- 1 Convicted of felony Bank Larceny and two counts of misdemeanor Driving While License Suspended
- 1 Received two Non-Judicial Punishments through the United States Navy and convicted of DWI
- 1 Voluntarily entered rehabilitation without completing treatment for narcotics dependency
- 1 Deferred judgment for Second Degree felony Burglary of a Building
- 1 Deferred judgment for Consumption of Alcohol by Minor, Assault, Public Intoxication and DWI - Minor
- 1 Convicted of Criminal Trespass, Evading Arrest and Driving While Intoxicated
- 1 Deferred judgment for Contributing to Delinquency of Minor, Worthless Check, DUI and Possession of Stolen Property
- 1 Entered 90 days residential treatment program for Amphetamine Dependence
- 1 Convicted of three counts of Minor in Possession of Alcohol
- 1 Deferred judgment for State Jail felony Credit Card Abuse
- 1 Completed Intensive Outpatient Treatment and Supportive Outpatient Treatment
- 1 Attends Alcoholics Anonymous meetings for past year and a half
- 1 Entered in-patient treatment for substance abuse
- 3 Denial of Licensure
- 496 No Grounds for Denial/Youthful Indiscretion

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ENDORSEMENTS

- 7 Disciplinary action taken by another licensing authority
- 1 Denial of Licensure
- 1 Convicted of Driving While Intoxicated, Criminal Possession of Controlled Substance and Disorderly Conduct/Create Hazardous
- 1 Entered a Drug Court Program
- 1 Failed to ensure that all the ports on the triple lumen intravenous inserted catheter inserted into patient
- 1 Convicted of Hindering, Operate Under the Influence, Battery and Operating While Intoxicated
- 4 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement
- 63 No Grounds for Denial

RN CORRECTIVE ACTION

Time frame: September 1, 2013, through November 30, 2013

43	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 4 Non disclosure of misdemeanor Theft 16 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Reckless Driving 1 Non disclosure of misdemeanor Assault Causes Bodily Injury Family Member 1 Non disclosure of misdemeanor Cruelty to Animals 4 Non disclosure of misdemeanor Theft by Check 1 Non disclosure of misdemeanor Evading Arrest 2 Non disclosure of misdemeanor Disorderly Conduct 1 Non disclosure of misdemeanor Assault 1 Non disclosure of misdemeanor Shoplifting 3 Non disclosure of misdemeanor Issuance of a Bad Check 2 Non disclosure of misdemeanor Driving While License Suspended 1 Non disclosure of misdemeanor prior Default Order from Department of State Health Services 1 Non disclosure of misdemeanor Harassment 1 Non disclosure of misdemeanor Criminal Mischief 1 Non disclosure of misdemeanor Obstruction of Passageway 1 Non disclosure of misdemeanor Possession of Marijuana 1 Non disclosure of misdemeanor Criminal Trespassing
5	<p>ENDORSEMENT</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Resisting Arrest 1 Non disclosure of misdemeanor Disorderly Conduct 1 Non disclosure of misdemeanor Permitting a Dangerous Animal to Be at Large 1 Non disclosure of misdemeanor Possess of Under 50 grams of Marijuana
6	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Theft by Shoplifting 1 Non disclosure of misdemeanor Theft Under \$50 1 Non disclosure of misdemeanor Issuing and Passing a No Account Check 1 Non disclosure of misdemeanor two counts of Theft 1 Non disclosure of misdemeanor Liquor Violation 1 Non disclosure of misdemeanor Criminal Mischief

RN DEFERRED DISCIPLINE

Time frame: September 1, 2013, through November 30, 2013

12	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none"> 1 Removed three doses of Morphine Sulfate but failed to document the administration 1 Failed to clean the soiled dressing at the feeding tube; failed to follow safe infection control practice 1 Withdrew two milligram vials of Dilaudid but failed to follow policy and procedure for wastage 1 Failed to verify the concentration of Prolixin filled by the pharmacy before administering 1 Failed to obtain the pharmacy pre-filled 30 cc Epinephrine syringe as requested by surgeon 1 Failed to document that the family had administered the 0900 and 1200 doses of Xyloxylin Suspension 1 Failed to document a verbal order for a normal saline fluid bolus 1 Inappropriately documented that she gave dilaudid 0.5 mg IV and Rocephin 1 gm IV 1 Failed to document the administration of Heparin 1 Administered Norco who did not have a physician's order 1 Failed to document the waste of excess Morphine and Ativan 1 Failed to ensure that a prescription for Detrol LA and Geodon were refilled and available to patients
1	<p>FINE AND REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none"> 1 Inappropriately prescribed Bentyl to a co-worker

Texas Board of Nursing Statistical Report: FY 2014

v2.0

Measure ID	Measure Description	Totals FY'11	Totals FY'12	Totals FY'13	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Running FY 2014 Total
5 Education Statistics									
5.1 Nursing Jurisprudence Exam Statistics									
5.1.1	Total Nursing Jurisprudence Exam taken	27,821	29,414	30,816	6162				6162
5.1.1.1	Exam Not Completed (total)	1,216	1,248	1,715	333				333
5.1.1.2	Percentage Not Completed	4.37	4.27	5.57	5.40				5.40
5.1.1.3	Did Not Pass the Exam (total)	2,468	2,509	2,384	38				38
5.1.1.4	Percentage Did Not Pass Exam	8.87	8.62	7.74	0.62				0.62
5.1.1.5	Exam Passed (Total)	24,137	25,657	26,717	5791				5791
5.1.1.6	Percentage Exam Passed	86.76	87.11	86.69	93.98				93.98
5.1.2	LVN-Candidate	7,472	7,653	6,630	1141				1141
5.1.2.1	Exam Not Completed	399	411	382	35				35
5.1.2.2	Did Not Pass the Exam	991	1,051	735	7				7
5.1.2.3	Exam passed	6,082	6,191	5,513	1099				1099
5.1.3	LVN-Endorsement	1,716	1,657	1,612	308				308
5.1.3.1	Exam Not Completed	105	73	113	31				31
5.1.3.2	Did Not Pass the Exam	387	370	346	1				1
5.1.3.3	Exam passed	1,224	1,214	1,153	276				276
5.1.4	RN-Candidate	11,057	11,982	12,470	2441				2441
5.1.4.1	Exam Not Completed	361	447	634	98				98
5.1.4.2	Did Not Pass the Exam	387	430	488	9				9
5.1.4.3	Exam passed	10,309	11,105	11,348	2334				2334
5.1.5	RN-Endorsement	7,576	7,599	9,256	2062				2062
5.1.5.1	Exam Not Completed	351	298	535	145				145
5.1.5.2	Did Not Pass the Exam	703	633	783	17				17
5.1.5.3	Exam passed	6,522	6,668	7,938	1900				1900
5.1.6	Refresher Course/Renewal Requirements	n/a	523	848	210				210
5.1.6.1	Exam Not Completed	n/a	19	51	24				24
5.1.6.2	Did Not Pass the Exam	n/a	25	32	4				4
5.1.6.3	Exam passed	n/a	479	765	182				182