

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

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 740 Texas nursing employers with 100,795 Texas nurses enrolled in e-Notify. National Council of State Boards of Nursing (NCSBN) permits individual nurses to enroll.

Recent Drug Testing Advancements for Substance Abuse Alternative Programs

According to a new article in the *Journal of Nursing Regulation*, a key component of substance abuse alternative to discipline programs is monitoring abstinence through drug testing. Program administrators must make careful decisions regarding drug screening standards and appropriate drug testing profiles. The article discusses recent improvements in technology that offer drug tests using alternative matrixes such as oral fluid, hair, fingernail and dried blood spots, and the advantages and disadvantages of each. The articles stresses that because alternative program administrators and boards of nursing make monitoring decisions that affect the safety and well-being of the participant and public, it is imperative that they understand the extent of these new drug testing technology offerings.

[http://www.journalofnursingregulation.com/article/S2155-8256\(16\)31009-2/abstract](http://www.journalofnursingregulation.com/article/S2155-8256(16)31009-2/abstract)

Health Centers Awarded \$94 Million to Treat Prescription Opioid Abuse

The U.S. Department of Health & Human Services (HHS) recently announced \$94 million in funding to 271 health centers in 45 states, the District of Columbia and Puerto Rico to expand substance abuse treatment services in health centers, with a specific focus on treatment of opioid use disorders in underserved populations. The awards will be administered by the HHS Health Resources and Services Administration and will increase the number of patients screened and connected to treatment, increase patient access to medication-assisted treatment, and provide training and education resources to help health professionals make informed prescribing decisions. The funding is expected to help the health centers hire approximately 800 providers to treat nearly 124,000 patients for substance abuse.

<http://www.hhs.gov/about/news/2016/03/11/hhs-awards-94-million-to-health-centers.html>

New Guideline for Prescribing Opioids for Chronic Pain Published

The Centers for Disease Control and Prevention recently released a new guideline for prescribing opioids for chronic pain in response to the prescription opioid misuse and overdose epidemic. The new guideline will aid primary care providers in ensuring the safest and most effective treatment for patients. The guideline provides recommendations on the use of opioids in treating adult patients for chronic pain in outpatient settings.

The new guideline aims to improve the safety of prescribing and decrease the harms associated with opioids, such as opioid use disorder and overdose. In addition, the guideline focuses on

increasing the use of other effective treatments available for chronic pain, including non-opioid medications or physical therapy.

The guideline's three key principles to improving patient care:

1. Non-opioid therapy is preferred for chronic pain outside of active cancer, palliative and end-of-life care;
2. When opioids are used, the lowest possible effective dosages should be prescribed to reduce risks of opioid use disorder and overdose; and
3. Providers should always exercise caution when prescribing opioids and monitor all patients closely.

There has been some concern that the new guideline recommendations will interfere with doctors' decision making. The American Medical Association stated that it is largely supportive of the guidelines, but warned of the potential effects of strict dosage and duration limits on patient care.

STATE ISSUES

Health Professions Council: The Health Professions Council (HPC) met on March 14, 2016 for its regular quarterly meeting. Discussion included Budget and Information Technology Reports, Legislative Appropriations Request for FY 18-19, the Statewide Behavioral Health Council and status of agencies undergoing Sunset Review. There was also general discussion of opportunities for sharing information on best practices, resources and training.

Contracts: Staff have posted required information regarding contracts on the Board's website at: https://www.bon.texas.gov/about_contracts.asp. The Comptrollers Office has not published rules regarding contracts at this time.

BOARD ISSUES

State Auditors Office Audit: SAO has performed a financial processes audit and will release a final report in April to early May. The report will be forwarded to the Board for review at the July Board meeting.

Sunset Review: Sunset Commission staff have informed the agency that they will begin their review in May. They have scheduled two meetings with staff: an overview when they will share the review process and a second meeting where Board staff will present our agency and issues expressed in our self evaluation report.

BON Bulletin Articles : The January issue of the *Board of Nursing Bulletin* contains articles on: 1.) Texas TERCAP Pilot Project Update; 2.) Report on Completion of the LVN On-Call Pilot Program; 3.) KSTAR Pilot Program for Nurses; and 4.) Progress of the Workplace Violence Against Nurses Project.

Board Development: A board development session video titled, *Marijuana: A Prescription for Trouble?* by Doris Gundersen, MD, will be held during the meeting on Thursday, April 21, 2016 at noon.

Insurance: The agency purchased the following insurance policies approximately two years ago:

- Property Insurance which covers the replacement costs of loss of property, equipment breakdown or acts of terrorism.
- Automobile Insurance which covers agency drivers in personal vehicles and rental cars used for work purposes.
- Public Officials Liability, Employment Practices Liability provides liability coverage for the errors and omissions of public officials in the course of their public duties and for employment practices liability for claims made by employees or applicants of employment alleging a wrongful employment practice.

AGENCY ISSUES

Staff News: Darryl Holt is the new Network Specialist III in Information Technology. Darryl comes to us with networking and computer experience. He worked Oracle for over 7 years as a Network and Telecom Analyst and for Dell Computers Inc. for 5 years as a Server Support Analyst. He graduated from Southwest Texas State University with a Bachelor of Business Administration - Marketing.

Space Needs for New Staff: Several meetings and communications with the Texas Facilities Commission (TFC) have taken place to discuss the Board's space needs for new staff beginning September 1, 2015. We have been informed that the agency's space needs will be accommodated in Tower III, 2nd floor; construction and moving will be completed by August 31, 2016. At that time, portions of the operations staff will be moved to the second floor, creating additional office space for new employees on the 4th floor.

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, 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 second quarter of Fiscal Year 2016. **(See Attachment A).** Staff continue working with a psychometrician to update the Jurisprudence Examination.

National Council of State Boards of Nursing (NCSBN) Projects: Staff continues the BON onboarding process for the new NCSBN data base system, Optimal Regulatory Board System, ORBS. Staff have met by WebEx with NCSBN staff to view screens and functionality of the system. Face to face meetings will take place in the BON office during the week of May 2-5, 2016 to develop more individualized processes for the Texas BON. Launch of Phase 1 of the new software is scheduled for September 2016. Phase 1 will include licensing processes and complaint intake processes. Future processes will incorporate investigations, monitoring, legal, and education modules.

Information Technology Updates:

For the second quarter the IT department has focused on updating or business processes and documentation. Key activities include:

- Deployed fee reduction for LVNs
- Created and deployed new server to support agency going paperless with background documents
- Coded and deployed new Department of Public Safety (DPS) web service client, API to replace the service that DPS ended January 1, 2016

- Changed the way Advanced Practice Registered Nurse (APRN) licensure lookup displays discipline on prescriptive authorizations
- Coded and deployed new NCSBN discipline lookup processes that focus on the privilege to practice process (for nurses licensed in other Compact states)
- Completed health checks on current IT structure, focusing on best practices and security
- Completed two complete system shutdowns. This allowed us to test our fail over to the BON Disaster Recovery site
- Hired Darryl Holt to take the new Network Specialist III position
- Promoted Bill Ray to System Administrator IV

Website: Key changes for the second quarter:

- Posted 2016 Operating Budget
- Updated Publication Order form
- Made changes to Website to remove the book hard copy offering of NPA and Rules and Regulations
- Posted Nursing Statistics for December 2015
- Posted new document for finger print process
 - http://www.bon.texas.gov/pdfs/forms_pdfs/background/TX-S-Code-11G64G-International-Candidates.pdf
 - http://www.bon.texas.gov/pdfs/forms_pdfs/background/TX-S-Code-119TF2-Nurse-Examiners.pdf
- Posted Fee changes to the website for Renewal and Examination
- Posted new forms for Exam, Endorsement and Renewals to reflect fee changes and changes in the fingerprint process
- Posted Sunset Announcement under the news on the website
- Updated Notice of Disciplinary Action and Imposter Warnings
- Posted January and April Board meeting agenda and documents
- Update Nurse Licensure Compact map
- Create SB 20 Statement of Work page
http://www.bon.texas.gov/about_publications_sow.asp
- Created SB 20 Contracts page http://www.bon.texas.gov/about_contracts.asp
- Updated mental health application question and worked with Texas.gov to update question on their site
- Posted Final Report from LVN on Call Pilot from Department of Aging and Disability Services

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 Call: Texas Team Advancing Education Committee, January 25, 2016

Meeting: Prescription Drug Monitoring Program Interagency Workgroup, January 25, 2016, Austin

Conference Call: Texas A&M College of Nursing/RCHI/BON KSTAR Nursing Pilot, January 27, 2016

Conference Call: TNA Regulatory Subcommittee, discussion of education issues, February 2, 2016

Conference Call: NCSBN Foreign-Educated Nurse Manual, February 8, 2016

Meeting: NCSBN Board Meeting, February 10-12, 2016, Chicago

Meeting: with Texas Center for Nursing Workforce Studies and stakeholders on draft workforce report, February 17, 2016, Austin

WebEx: NCSBN ORBS Team, February 22, 2016

Conference Call: Executive Officer Leadership Team Meeting, February 22, 2016

Conference Call: Texas Team Advancing Education Committee, February 22, 2016

Meeting: Texas Center for Nursing Workforce Studies Advisory Committee, February 24, 2016

Meeting: Tri-Regulator Leadership, February 25, 2016, Atlanta

Conference Call: NCSBN Policy Networking Group, March 1, 2016

Meeting: Texas Facilities Commission, March 2, 2016

Conference Call: Texas A&M College of Nursing/RCHI/ BON KSTAR Nursing Pilot March 9, 2016

Meeting: Nurse Licensure Compact Administrators, March 13, 2016, Baltimore, MD

Meeting: NCSBN Mid-Year Meeting, March 14-16, 2016, Baltimore, MD

Conference: American Association of Colleges of Nursing, March 19-20, Washington, DC

Meeting: Office of the State Auditor, March 23, 2016, Austin

Conference Call: Texas Team Advancing Education Committee, March 28, 2016

Conference: American Organization of Nurse Executives, March 31 - April 1, 2016, Fort Worth

Conference: NCSBN APRN Roundtable, April 5, 2016, Chicago

Conference Call: Conference Call: Texas A&M College of Nursing/RCHI/ BON KSTAR Nursing Pilot, April 6, 2016

Forum: Nurse Licensure Compact Update, April 8, 2016, Washington, DC

WebEx: ORBS Capabilities, April 11, 2016

Meeting: Office of the Governor, Medical Professional Shortages, April 15, 2016, Austin

General Counsel

Meeting: Interagency Prescription Monitoring Program Work Group, January 25, 2016, Austin

Meeting: Howard Payne University, *Re: Nursing Program*, February 29, 2016, Austin

Presentation: DEA Diversion Training focusing on Federal and State Drug Investigations and Prosecutions, *Presentation regarding APRN specialty and pain management*, March 2, 2016, Houston

Conference Call: Texas A&M College of Nursing/RCHI/ BON KSTAR Nursing Pilot, January 27, 2016, February 24, 2016, and March 9, 2016

Director of Operations

Meeting: Department of Information Resources, Customer Advisory Committee, January 21, 2016

Presentation: Texas Association of Deans and Directors of Professional Nursing Programs (TADDPNP), February 5, 2016

Presentation: New Deans and Directors Orientation, February 12, 2016

Presentation: Texas League for Vocational Nurses, Temple, February 19, 2016

Meeting: Office of the Comptroller, February 22, 2016

Presentation: NCSBN Audit Meeting, Nashville, TN, February 25-26, 2016

Meeting: Texas Facilities Commission, March 2, 2016

Meeting: Office of the State Auditor, March 7, 2016

Meeting: Texas Veterans Commission – Employment Workgroup Meeting, March 9, 2016

Meeting and Presentation: NCSBN Mid-Year Meeting, Baltimore, MD, March 15-16, 2016

Meeting: Office of the State Auditor, March 23, 2016

Meeting: Office of the State Comptroller, March 24, 2016

Director of Enforcement

Conference Call: KSTAR Meeting, January 27, 2016

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, January 28, 2016, Austin

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, February 4, 2016, Austin

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, February 11, 2016, Austin

Presentation: Deans, Director and Coordinators Orientation, February 12, 2016, Austin

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, February 18, 2016, Austin

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, February 25, 2016, Austin

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, March 3, 2016, Austin

Conference: Council on Licensure, Enforcement and Regulation (CLEAR), March 7-9, 2016, Phoenix, AZ

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, March 10, 2016, Austin

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, March 24, 2016, Austin

Director of Nursing and Nursing Consultants

Conference: Institute of Regulatory Excellence Conference– Navigating the Public Policy Process, January 26-28, 2016, Long Beach, CA

Meeting: Texas Higher Education Coordinating Board, Nursing Innovating Grant Projects (NIGP), January 29, 2016, Austin

Conference: Defining a Roadmap for Implementation of Social Media in Population and Community Health Initiatives, January 29, 2016, Austin

Meeting: Texas Higher Education Coordinating Board, NIGP Building Lab and Simulation Capacity, February 5, 2016, Austin

Conference: Texas Association of Deans and Directors of Professional Nursing Programs (TADDPNP), February 5, 2016, Austin

Meeting: University of Texas System Institute for Transformational Learning, February 8, 2016, Austin

Conference Call: Council on Licensure Enforcement and Regulation (CLEAR) – Yesterday's Jurisprudence Test Becomes Tomorrow's Jurisprudence Game, February 8, 2016

Webinar: CLEAR, Yesterday's jurisprudence test becomes tomorrow's jurisprudence game (with apologies to Babe Ruth), February 10, 2016

Meeting: Texas House Committee on Higher Education, Legislative Hearing, February 11, 2016, Austin

Presentation: New Deans and Directors Orientation, February 12, 2016, Austin

Meeting: Texas Department of State Health Services, Texas Council on Cardiovascular Disease and Stroke, February 12, 2016, Austin

Presentation: Canadian Council for RN Registration, NCLEX-RN, February 19, 2016, Toronto, Ontario, Canada

Conference Call: KSTAR Nursing Research Team, February 22, 2016

Conference Call: Texas Team Advancing Education Committee, February 22, 2016

Meeting: Texas Center for Nursing Workforce Studies Advisory Committee, February 24, 2016, Austin

Webinar: Surplus? Shortage? Recent Trends in the RN Labor Market, February 24, 2016

Presentation: 12th Annual Nurse Educator Conference, February 24, 2016, Oklahoma City

Conference: Governor's Center for Management Development Training Expo 2016, February 2-6, 2016, Austin

Meeting: Texas Higher Education Coordinating Board – Agency Core Curriculum Committee, March 1, 2016, Austin

Conference Call: NCSBN Policy Networking Group Call, March 1, 2016

Meeting: Commitment to Ongoing Regulatory Excellence (CORE) Committee, March 2-4, 2016, Chicago

Meeting: TPAPN Advisory Committee Meeting, March 4, 2016, Austin

Conference Call: KSTAR Team Call, March 9, 2016

Conference Call: NCSBN Education Call, March 9, 2016

Presentation: Elevate Outcomes with HESI, March 10-12, 2016, Las Vegas, NV

Conference: Texas Tech University Health Science Center, Bridging the Gap, Grant Project Updates and Workshop, March 22, 2016, Austin

Presentation: Protecting Your Patients and Your Practice Workshop, March 24, 2016, Houston

Conference Call: Texas Team Advancing Education Committee, March 28, 2016

Webinar: CORE– Achieving Good results with Your Surveys, March 28, 2016

Meeting: American Organization of Nurse Executives, DNP Leadership Immersion, March 28-30, 2016, Ft. Worth

Conference: NCLEX Workshop, April 1, 2016, Austin

Presentation: University of Texas- Arlington Faculty Workshop on NCLEX, April 4, 2016, Arlington

Presentation: Midland Memorial Hospital– Excellence, Advancement and Development, April 4-5, 2016, Midland

Conference Call: KSTAR Team Call, April 6, 2016

Webinar: APRN Application Process, April 7, 2016

Workshop: TPAPN, April 8, 2016, Austin

Meeting: NCLEX Member Board Review, April 8, 2016, Austin

Meeting: NCSBN NCLEX Examination Committee, April 11-12, 2016, Chicago, IL

Meeting: Texas Higher Education Coordinating Board NIGP Grant Visits, April 13, 2016, Waco, TX at Baylor, and Arlington, TX @ the University of Texas

Conference: NCLEX Regional Workshop, April 18, 2016, Toronto, Ontario, Canada

Conference Call: KSTAR Team Call, April 20, 2016

Conference: Texas Nurse Practitioners Primary Care and Pharmacology, April 22, 2016, Austin

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

Case Resolution Report
December 1, 2015 through February 29, 2016

Type of Action	Total
No Jurisdiction	7
No Violation	3
No Action	453
Insufficient Evidence	220
Admonish	31
Without Prejudice	1046
TPAPN Referrals	76
EEP Referrals	15
Corrective Actions	41
Totals	1,892

Quarterly Statistics Where Executive Director Ratified Temporary Suspension Cases in Compliance with Board Policy:

Temporary Suspension Case Resolution Report
December 1, 2015, through February 29, 2016

Type of Action	Total
Voluntary Surrender	3
Enforced TPAPN	1
Reprimand with Stipulations	1
Totals	5

**Quarterly Statistics Where Executive Director Ratified Requests for Exception
in Compliance with Board Policy:**

REQUESTS FOR EXCEPTION TO A PREVIOUSLY ISSUED AGREED ORDER

December 1, 2015 through February 28, 2016

Total Number of Requests Received	31
Number of Requests Resolved	27*
Number of Requests Granted by Executive Director	7
Number of Requests Granted by Eligibility and Disciplinary Committee	11**
Number of Requests Denied by Eligibility and Disciplinary Committee	4
Number of Requests Denied Pursuant to Board's Guidelines for Exceptions to Existing Board Orders	2
Number of Requests Pending	53***

*Three (3) requests were withdrawn.

**One (1) request was continued.

***Eleven (11) requests set for next E&D.

LVN DISCIPLINARY ORDERS

Time frame: December 1, 2015, through February 29, 2016

DISCIPLINARY	
14	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 2 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Inappropriately documented hours worked that were not worked 3 Failure to comply with previous issued Board Order 1 Signed a form as the billing representative and used the initials "RN" without holding a privilege to practice and/or license to practice professional nursing 1 Left assigned patient several times throughout shift, without notifying appropriate personnel 1 Took possession of confidential protected health information without written authorization 1 Convicted of felony Robbery 1 Failed to complete skilled nurse visit documentation 3 Practiced professional nursing without a valid nursing license
8	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Failed to properly assess and/or document the assessment of 9 patients 1 Violated professional boundaries by setting up the weekly medication box for a discharged patient without a physician order 1 Failed to perform skilled nursing visits as assigned 1 Exhibited unprofessional conduct by posting inappropriate statement about her place of employment 1 Failed to timely submit completed documentation of the Oasis start of care, resumption of care, re-certification of care, discharge from care, the 485 plan of care and the skilled nurse visit notes for 23 patients 3 Disciplinary action taken by another Licensing Authority
9	<p>TPAPN CONFIDENTIAL BOARD ORDER</p> <ul style="list-style-type: none"> 1 Misappropriated Hydrocodone and Dilaudid; Admitted to the diversion of medication for personal use <p>TPAPN ENFORCED SUSPENSION BOARD ORDER</p> <ul style="list-style-type: none"> 1 Misappropriated Morphine and Dilaudid; convicted of Driving While Intoxicated 1 Misappropriated Dilaudid; admitted to self injecting Dilaudid; intemperate use of Dilaudid and Alcohol 1 Entered treatment for alcohol abuse after an assessment by a military treatment facility 1 Non-disclosure of conviction of Class A misdemeanor Driving While Intoxicated 1 Intemperate use of Morphine, Hydromorphone, Fentanyl, and Meperidine 1 Diagnosed with mental health disorders 2 Non-compliance with prior TPAPN Board Order
30	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 5 Submitted a statement voluntarily surrendering their license to practice nursing 1 Failed to appropriately assess and intervene after staff reported patient was experiencing a change in condition after a procedure earlier in the day. Patient was transported to a local hospital where he died 1 Lacked fitness to practice, admitted to dozing off while caring for a patient who is ventilator dependent 1 Inappropriately engaged in a sexual relationship with a patient 1 Failed to intervene or notify the physician when patient was assessed to be unresponsive and hypotensive 1 Intemperate use of Alcohol 1 Failed to immediately initiate cardiopulmonary resuscitation 1 Inappropriately placed a washcloth in the mouth of a patient to moisten it instead of using glycerin swabs 1 Failed to provide in-service training to direct-care staff regarding fall risk prevention; failed to notify the physician regarding the consumer's status subsequently, the consumer fell, hit his head and expired 1 Telephonically communicated 3 prescriptions for Kroger Pharmacy without the physician's authorization 2 Disciplinary action taken by another Licensing Authority 4 Submitted statement of surrender in lieu of complying with Board Order 10 Non-compliance with previous Board Order

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2015, through February 29, 2016

300	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 3 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure or Petition 1 Diversion Program for felony Larceny of Merchandise from Retailer 1 Deferred judgment for misdemeanor Theft Over \$50 1 Deferred judgement for felony Prohibited Substance Correctional Facility - Alcohol/Tobacco/Phone 1 Convicted of misdemeanor Issuance of Bad Check, Accident Involving Damage to Vehicle, and 2 counts of Driving While License Invalid 1 Convicted of Aiding and Abetting a Certain Alien to Attempt to Gain Illegal Entry into the United States 1 Deferred judgment for misdemeanor Theft; three counts of Theft by Check 1 Deferred judgment for misdemeanor Theft by Public Servant; convicted of Driving While License Invalid 1 Convicted of misdemeanor Reckless Driving; deferred judgment for Resist Arrest Search or Transport 1 Convicted of state jail felony Insurance Fraud 1 Deferred judgment for state jail felony Tampering W/ Government Records 1 Deferred judgment for first degree felony Aggravated Robbery - Serious Bodily Injury 1 Convicted of misdemeanor Driving While License invalid, deferred judgment for misdemeanor Theft 1 Convicted of felony Mail Fraud 1 Deferred judgment for misdemeanor Possession of Marijuana and Attempt to a Possess a Controlled Substance 1 Deferred judgment for misdemeanor Possession of Marijuana 1 Divert Court Program for state jail felony Abandon/Endanger Child Criminal Negligence and misdemeanor Possession of a Controlled Substance 4 Diagnosed with Bipolar Disorder 1 Convicted of felony Driving While Intoxicated and two counts of misdemeanor Driving While Intoxicated 1 Deferred judgement of state jail felony Theft 4 Prior Board Order during Petitioner Process 1 Convicted of two counts of misdemeanor Driving While Intoxicated 1 Deferred judgment for state jail felony Credit/Debit Card Abuse; convicted of misdemeanor Criminal Mischief >\$50 <=\$500 1 Deferred judgment for state jail felony Welfare Fraud \$1500 - \$20,000 1 Deferred judgment of state jail felony Abandon/Endanger Child w/Intent to Return, misdemeanor Theft 1 Entered an In-patient Alcohol and Drug Treatment Program 1 Convicted of misdemeanor Disorderly Conduct, Public Intoxication, Issuance of a Worthless Check, Driving While Intoxicated, Public Lewd, Fail to Identify a Fugitive from Justice and Harassment 1 Convicted of misdemeanor Fail to ID-False/Fictitious deferred judgment for Information and Prostitution 1 Deferred judgment for Deadly Conduct and Public Intoxication 1 Convicted of misdemeanor Possession of Marijuana; Theft by Check, Theft, Driving While License Suspended and Criminal Trespass 6 Denial of Licensure 256 No Grounds for Denial/Youthful Indiscretion
35	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 2 Disciplinary action taken by another Licensing Authority 1 Deferred judgment for misdemeanor Attempt Securing Execution of Document by Deception 1 Admitted to treatment for substance abuse 4 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 27 No Grounds for Denial

LVN CORRECTIVE ACTION

Time frame: December 1, 2015, through February 29, 2016

19	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 3 Non disclosure of misdemeanor Theft of Property by Check 1 Non disclosure of pending felony Aggravated Assault Causes Serious Bodily Injury 1 Non disclosure of misdemeanor Obstructing Highway - Intoxication 1 Non disclosure of state jail felony theft of Property >=\$1500 <\$20k 1 Mistakenly documented the administration of Xanax and Fibersource into the wrong medical record 1 Failed to accurately transcribed a physician's order for Tramadol 1 Inappropriately altered another nurses care note in the medical record 1 Driving on a Revoked License 2 Non disclosure of misdemeanor Assault Causes Bodily Injury - Family Member 3 Non disclosure of misdemeanor Driving While Intoxicated 4 Practiced Nursing without a valid license
4	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Issuing a Worthless Check 1 Non disclosure of misdemeanor Driving Under the Influence 1 Non disclosure of misdemeanor Driving with a Suspended/Revoked License 1 Non disclosure of misdemeanor Simple Assault
2	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Wrongfully Consume or Possess Alcohol 1 Non disclosure of misdemeanor Driving While License Suspended/Revoked

LVN DEFERRED DISCIPLINE

Time frame: December 1, 2015, through February 29, 2016

3	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none"> 1 Documented a patient was pronounced deceased by the physician via telephone; however physician stated she was notified by nurse of patient's death 1 Failed to notify physician that she was unable to obtain blood pressure readings due to suspected equipment failure 1 Engaged in unprofessional conduct by posting several images of a patient
---	--

RN DISCIPLINARY ORDERS

Time frame: December 1, 2015, through February 29, 2016

DISCIPLINARY	
16	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 6 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Inappropriately documented hours worked that were not worked 1 Failure to comply with previous issued Board Order 1 Left assigned patient several times throughout shift, without notifying appropriate personnel 1 Withdrew Morphine and Hydromorphone, but failed to follow procedures for wastage 1 Violated the confidentiality of six co-workers and two former employees by accessing medical records 1 Inappropriately documented that a prescription for Xanax was approved by the physician with knowledge it had not 4 Practiced professional nursing without a valid nursing license
24	<p>TPAPN CONFIDENTIAL BOARD ORDER</p> <ul style="list-style-type: none"> 1 Misappropriated Dilaudid for own personal use 1 Deferred judgement for Driving While Intoxicated - 2nd 1 Experienced a manic episode of new-onset bipolar disorder 1 Intemperate use of Alcohol and Oxazepam; evaluated to have several mental health diagnoses 1 Attempted to take her life by injecting herself with Propofol diverted from employer 1 Misappropriated Morphine Sulfate, Hydromorphone, and Lorazepam 1 State jail felony offense of Possession of a Controlled Substance <p>TPAPN ENFORCED SUSPENSION BOARD ORDER</p> <ul style="list-style-type: none"> 1 Misappropriated Morphine and Dilaudid; convicted of Driving While Intoxicated 1 Misappropriated Dilaudid; admitted to self injecting Dilaudid; intemperate use of Dilaudid and Alcohol 1 Entered treatment for alcohol abuse after an assessment by a military treatment facility 1 Misappropriated Hydrocodone and Hydromorphone; abandoned his patients by going missing for over an hour found in an empty patient room impaired 1 Intemperate and unlawful use of alcohol and cocaine 1 Diverted Morphine and Hydromorphone; intemperate use of Morphine and Hydromorphone 1 Diagnosed with mental health disorders 1 Misappropriated narcotics for her own personal use 1 Intemperate use of Morphine, Hydromorphone, Fentanyl, and Meperidine 1 Convicted of two counts of Driving While Intoxicated 1 Non-disclosure of conviction of Class A misdemeanor Driving While Intoxicated 1 Non-compliance with prior TPAPN Board Order 1 Underwent treatment for alcohol abuse 1 Made unwanted advances, including but not limited to unwanted touching, texting nude pictures of himself and rubbing his penis against the buttocks of female staff; admitted to a suicide attempt 1 Engaged in the use of Barbiturates; while participating in the Texas Peer Assistance Program for Nurses engaged in the use of alcohol 1 Currently attending AA meetings and is in a home group 1 Intemperate use of Cocaine

11	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Withdrew hydromorphone, Lorazepam, and Morphine in excess dosage 1 Practiced outside the scope of practice by placing sutures on a patient; Failed to document the suturing 1 Failed to timely submit completed documentation of the Oasis start of care, resumption of care, re-certification of care, discharge from care, the 485 plan of care and the skilled nurse visit notes for 23 patients 1 Failed to adequately assess by not completing a chest X-Ray 1 Violated patient confidentiality by assessing the medical record of a patient who was not under her care 1 Prescribed Penicillin V despite the patient's documented allergy 1 Failed to submit nursing documentation for seven patients; submitted false invoices for reimbursement 1 Failed to perform, and/or did not document, as required by rule, a problem specific physical examination 1 Inappropriately managed the medical record by altering a medical record and shredding the original 1 Failed to appropriately dispose of grossly contaminated bio-hazard blood products in the designated container 1 Failed to document her collaboration with the family and physician of a resident
29	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 5 Submitted a statement voluntarily surrendering license to practice nursing 1 Lacked fitness to practice, admitted to dozing off while caring for a patient who is ventilator dependent 1 Self reported being hospitalized in a psychiatric facility and could no longer provide safe patient care 1 Inappropriately placed a washcloth in the mouth of a patient to moisten it instead of using glycerin swabs 1 Failed to appropriately assess and intervene after staff reported patient was experiencing a change in condition after a procedure earlier in the day. Patient was transported to a local hospital where he died 3 Disciplinary action taken by another Licensing Authority 2 Practice fell below the minimum standards of nursing practice in that she engaged in non-therapeutic prescribing practices 1 Admitted to taking Clonazepam, which makes her tired before the end of her shift 1 Lacked fitness to practice in that she was sleeping during her shift and submitted a specimen with a positive result 1 Intemperate use of Opiates and Amphetamines 1 Was witnessed taking a drink from the patient's morphine bottle while in the patient's residence 1 Misappropriated Morphine belonging to the facility; found with a condom of urine in the waste band of her pants when asked to submit to a urine drug screen 1 Lacked fitness to practice in that she informed her co-worker at the time she felt dizzy and weird; reported to the emergency department and submitted a urine specimen which resulted positive for cocaine 1 Violated professional boundaries of the nurse/client relationship; pending charges for Sexual Assault of a Child, Indecency with a Child by Contact and Indecency with a Child by Exposure 1 Failed to seek reasonable medical care for her nine month old son, which was further determined to have led to the child's death 7 Non-compliance with previous Board Order

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2015, through February 29, 2016

538	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 2 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination 6 Diagnosed with Bipolar Disorder 1 Convicted of misdemeanor Obstruct Highway, Fail to ID and two counts of Driving While Intoxicated 1 Deferred judgment for misdemeanor Tamper w/Government Record 2 Deferred judgment for felony Theft 1 Convicted of felony Robbery 1 Deferred judgment for misdemeanor Obstruct or Retaliation; convicted of misdemeanor Criminal Mischief 1 Pre-Trial Diversion for felony Possession of a Controlled Substance Drug Free Zone 1 Deferred judgment for state jail felony Forgery by Passing 1 Convicted of three counts misdemeanor Driving While Intoxicated 1 Convicted of misdemeanor Theft, Driving While License Suspended, Fail to ID Fugitive, Driving While Intoxicated, Possession of Marijuana and Obstruct Highway Passageway 1 Deferred judgment for misdemeanor Theft of Stolen Property and Assault 1 Convicted of misdemeanor Public Intoxication; deferred judgment for Possession of Marijuana 1 Deferred judgment for felony Aggravated Assault 1 Convicted of misdemeanor Resist Arrest Search or Transport, Assault Causes Bodily Injury and Theft 1 Convicted of Possession of Cocaine, Transportation of Unlawful Alien and Association with a Person Engaged in Criminal Activity 1 Deferred judgment for state jail felony Credit Card or Debit Card Abuse 1 Entered treatment for Cannabis Dependence 1 Diagnosed with Major Depressive Disorder, and Post Traumatic Stress Disorder 1 Convicted of misdemeanor Minor in Possession of Alcoholic Beverage, Deferred judgment for felony Possession of Marijuana and Possession of a Controlled Substance 1 Deferred judgment for misdemeanor Assault Bodily Injury - Married/Cohab and Arrest/Search/Transport 1 Convicted of misdemeanor Illegal Dumping; deferred judgment for misdemeanor Public Lewd 1 Convicted of felony Mob Action and Theft of a Firearm and misdemeanor Criminal Trespass and Battery 1 Deferred judgment for misdemeanor False Report Abuse-Elder/Disabled 1 Convicted of misdemeanor Obstruct HWY Passageway, DWI-Open Container, Driving While License Suspended and Possession of Instrument of Crime 5 Prior Board Order during Petitioner Process 1 Deferred judgment for misdemeanor Theft 1 Convicted of felony Burglary of Habitation and Engaging in Organized Criminal Activity 1 Deferred judgment for Theft; convicted of DWLS and two counts of DWI; convicted of felony DWI 1 Deferred judgment for misdemeanor Possession of Marijuana; convicted of Driving While Intoxicated 1 Convicted of misdemeanor Criminal Trespass and Larceny of Merchandise from Retailer 1 Convicted of misdemeanor Possession of Drug Paraphernalia 4 Convicted of two counts of misdemeanor Driving While Intoxicated 1 Pre-Prosecution Diversionary Program for felony Forgery 1 Deferred judgment for misdemeanor Minor in Possession of Alcohol and Deadly Conduct 4 Disciplinary action taken by another licensing authority 8 Denial of Licensure 477 No Grounds for Denial/Youthful Indiscretion
146	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 7 Disciplinary action taken by another licensing authority 1 Diagnosed Bipolar Disorder II; self medicated with alcohol 3 Convicted of two counts of misdemeanor DUI 1 Failed to assess and/or document vital signs 1 Diagnosed with Bipolar II Disorder 1 Convicted of Reckless Driving, Operating While Intoxicated and two counts of Driving Under the Influence 1 Completed a recovery monitoring agreement with the Health Professional Recovery Program 8 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 1 Denial of Licensure 122 No Grounds for Denial

RN CORRECTIVE ACTION

Time frame: December 1, 2015, through February 29, 2016

25	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 8 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Driving While License Suspended/Invalid Enhanced 1 Practiced as a Graduate Nurse without a Graduate Nurse Permit 1 Non disclosure of misdemeanor Sell/Etc Liquor to Minor and Fight/Challenge Fight Public Place 1 Failed to verify what intravenous fluids were ordered 1 Non disclosure of misdemeanor Theft by Check 1 Mistakenly documented the administration of Xanax and Fibersource into the wrong medical record 1 Failed to accurately transcribe the medication Paxil onto a medical list upon discharge 1 Non disclosure of pending felony Aggravated Assault Causes Serious Bodily Injury 2 Non disclosure of misdemeanor Obstructing Highway Passageway 2 Non disclosure of misdemeanor Theft 1 Misrepresented herself to the public as a Pediatric Nurse Practitioner without authorization by the Board 1 Non disclosure of misdemeanor Possession of Marijuana 1 Inappropriately modified a mouthwash prescription by crossing out the patients name and hand wrote another patient name 1 Administered Barium Sulfate instead of Omnipaque as ordered 1 Practiced Nursing without a valid license
15	<p>ENDORSEMENT</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Theft 1 Non disclosure of misdemeanor Criminal Trespass 1 Non disclosure of misdemeanor Theft by Shoplifting 1 Non disclosure of misdemeanor Criminal Conversion 1 Non disclosure of misdemeanor Disturbing the Peace 1 Non disclosure of misdemeanor Driving While Ability Impaired 1 Non disclosure of misdemeanor Harassing Communication 1 Non disclosure of misdemeanor Disorderly Conduct 7 Non disclosure of misdemeanor Driving While Intoxicated
5	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Carrying a Handgun Without a License 1 Non disclosure of misdemeanor Driving While License Invalid 1 Non disclosure of misdemeanor Driving While Intoxicated 2 Non disclosure of misdemeanor Public Intoxication

RN DEFERRED DISCIPLINE

Time frame: December 1, 2015, through February 29, 2016

8	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none"> 1 Failed to properly document three invoices 1 Singed a patients signature on the patient acknowledgment and consent form 1 Pulled a Zofran tablet from the facility medication room without a physician's order and handed it to a man who presented to the ER with symptoms of nausea and vomiting 1 Failed to confer with her supervising physician regarding complications to a patient's condition 1 Inappropriately attempted to insert a nasogastric tube 1 Failed to follow the triage flow sheet 1 Failed to notify physician that she was unable to obtain blood pressure readings due to suspected equipment failure 1 Engaged in unprofessional conduct by posting several images of a patient
---	--

Texas Board of Nursing Statistical Report: FY 2016

v2.2

Measure ID	Measure Description	Totals FY'13	Totals FY'14	Totals FY'15	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Running FY 2015 Total
5	Education Statistics								
5.1	Nursing Jurisprudence Exam Statistics								
5.1.1	Total Nursing Jurisprudence Exam taken	30,816	46,193	41,696	8,959	7,467			16,426
5.1.1.1	Exam Not Completed (total)	1,715	14,324	6,553	136	227			363
5.1.1.2	Percentage Not Completed	5.57	27.6625	15.14	1.52	3.04			2.28
5.1.1.3	Did Not Pass the Exam (total)	2,384	3,910	5,529	142	1,186			2,607
5.1.1.4	Percentage Did Not Pass Exam	7.74	7.45	13.855	15.86	15.88			15.87
5.1.1.5	Exam Passed (Total)	26,717	27,960	28,814	7,402	6,054			13,456
5.1.1.6	Percentage Exam Passed	86.69	64.885	71.00	82.62	81.08			81.85
5.1.2	LVN-Candidate	6,630	8,632	7,846	1,689	1,278			2,967
5.1.2.1	Exam Not Completed	382	2,217	1,007	13	28			41
5.1.2.2	Did Not Pass the Exam	735	1,201	1,667	389	332			721
5.1.2.3	Exam passed	5,513	5,214	5,172	1,287	918			2,205
5.1.3	LVN-Endorsement	1,612	2,604	2,212	492	454			946
5.1.3.1	Exam Not Completed	113	958	433	5	8			13
5.1.3.2	Did Not Pass the Exam	346	415	559	160	154			314
5.1.3.3	Exam passed	1,153	1,231	1,220	327	292			619
5.1.4	RN-Candidate	12,470	18,694	15,334	3,626	2,954			6,580
5.1.4.1	Exam Not Completed	634	5,459	2,218	67	86			153
5.1.4.2	Did Not Pass the Exam	488	1,108	1,415	405	342			747
5.1.4.3	Exam passed	11,348	12,128	11,701	3,154	2,526			5,680
5.1.5	RN-Endorsement	9,256	15,000	14,464	2,928	2,589			5,517
5.1.5.1	Exam Not Completed	535	5,220	2,699	50	101			151
5.1.5.2	Did Not Pass the Exam	783	1,138	1,821	442	339			781
5.1.5.3	Exam passed	7,938	8,642	9,944	2,436	2,149			4,585
5.1.6	Refresher Course/Renewal Requirements	848	1,262	1,040	224	192			416
5.1.6.1	Exam Not Completed	51	470	196	1	4			5
5.1.6.2	Did Not Pass the Exam	32	48	67	25	19			44
5.1.6.3	Exam passed	765	744	777	198	169			367