



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse           §       AGREED  
License Number 750843                       §  
issued to MELISSA SUE WARNTJES       §       ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MELISSA SUE WARNTJES, Registered Nurse License Number 750843, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 19, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from El Centro College, Dallas, Texas, on December 13, 2007. Respondent was licensed to practice professional nursing in the State of Texas on February 5, 2008.
5. Respondent's nursing employment history includes:

1/2008 - 12/2008	GN/Staff Nurse	Presbyterian Hospital of Dallas
	Labor & Delivery	Dallas, Texas

Respondent's professional nursing employment history continued:

1/2009 - 7/2009	Staff Nurse	University of Texas Southwestern Spine Center Dallas, Texas
7/2009 - 3/2010	Nurse Manager	FastER Care Urgent Care Center Richardson, Texas
4/2010 - 11/2010	Staff Nurse	Methodist Dallas Medical Center Dallas, Texas
12/2010 - 1/2011	Unknown	
2/2011 - 1/2012	Staff Nurse	Medical Center of McKinney McKinney, Texas
2/2012 - Present	Unknown	

6. On or about June 7, 2010, Respondent was issued the sanction of Remedial Education through an Order of the Board by the Texas Board of Nursing. A copy of the June 7, 2010, Agreed Order, including Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as part of this Order.
7. At the time of the incidents in Finding of Fact Number Eight (8), Finding of Fact Number Nine (9), Finding of Fact Number Eleven (11), and Finding of Fact Number Thirteen (13), Respondent was employed as a staff nurse with Methodist Dallas Medical Center, Dallas, Texas, and had been in this position for six (6) months.
8. On or about October 16, 2010, while employed as a staff nurse with Methodist Dallas Medical Center, Dallas, Texas, Respondent failed to document nursing assessments and interventions for Patient CM in the patient's medical record. Respondent's conduct resulted in an incomplete medical record that subsequent care givers would rely on to provide further patient care.
9. On or about October 17, 2010, Respondent failed to indicate the documentation of the nursing assessment for Patient CM on October 16, 2010 was a "Late Entry." Respondent's conduct resulted in an inaccurate medical record that subsequent care givers would rely on to provide further patient care.

10. In response to the incidents in Findings of Fact Numbers Eight (8) and Nine (9), Respondent admits her assessments were not recorded in a timely manner but asserts the assessments and interventions were performed in a timely manner.
11. On or about October 16, 2010, and October 17, 2010, while employed as a staff nurse with Methodist Dallas Medical Center, Dallas, Texas, Respondent failed to administer medications to Patient CM as ordered by the physician. Respondent's conduct deprived the patient of medications, which could have resulted in non-efficacious treatment.
12. In response to the incidents in Finding of Fact Number Eleven (11), Respondent states she did not administer the medications to the patient at the request of the wife who had the Power of Attorney. Respondent states the wife stated that the patient was experiencing loose stools, and she did not want him to have the stool softener or the blood thinner that morning.
13. On or about October 16, 2010, and October 17, 2010, while employed as a staff nurse with Methodist Dallas Medical Center, Dallas, Texas, Respondent failed to notify the physician that Patient CM had not received the ordered medications, as required. Respondent's conduct deprived the physician of necessary information to initiate timely medical interventions that may have been required to stabilize the patient's condition.
14. In response to the incidents in Finding of Fact Number Thirteen (13), Respondent states the rounding physician was aware that these medications had been refused by the wife, and Respondent adds that she put a note on the front of the chart for the attending physician as she had been instructed to do.
15. On or about January 1, 2011, February 5, 2011, and February 20, 2011, Respondent called in unauthorized prescriptions to Walgreens Pharmacy using the Drug Enforcement Agency number of a physician at her former place of employment, FastER Care, in Richardson, Texas. Respondent's conduct placed the physician and pharmacy in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
16. In response to the incidents in Finding of Fact Number Fifteen (15), Respondent states she was treated for chronic back pain by one of the FastER physicians with Vicodin and Norco, and their customary practice was for employees to call in valid prescriptions for other employees to local pharmacies for pick-up. Respondent states the prescription refills in question date from January 2011 and February of 2011, after her employment with FastER had ended. Respondent states she contacted FastER to request a renewal of her prescriptions, which were called in by Amanda Simants to two Walgreen's pharmacies in January and February.

17. On or about February 20, 2011, was attempting was arrested on February 20, 2011, by Rowlett, Texas, Police Department officers, and charged with Fraud Possession of Controlled Substances/Prescription Sch I/II, Felony-2nd Degree for the conduct described in Finding of Fact Number Fifteen (15).
18. In response to the incident in Finding of Fact Number Seventeen (17), Respondent states she believes the administration's reaction and desire to file charges can be attributed to the administration's understanding that its practice of having its employees call in prescriptions for other employees and former employees may not have been in compliance with proper practice. Additionally, Respondent believes that it was in their interest to deny any prescriptions called in by her.
19. On or about November 8, 2011, Respondent pled guilty to POSSESSION OF DANGEROUS DRUG (a Class A Misdemeanor offense that occurred on February 20, 2011) in the 439th Judicial District Court Rockwall County, Texas, Cause No. 2-11-311. As a result of the guilty plea, the findings of guilt were deferred, and Respondent was placed on community supervision for two (2) years.
20. Respondent states she entered into a plea agreement to avoid the uncertainties of a trial on the criminal charges against her and pled guilty to a reduced charge, a class A misdemeanor, possession of a dangerous drug without a prescription.
22. At the time of the incident in Finding of Fact Number Twenty-Three (23), Respondent was employed as a staff nurse with Medical Center of McKinney, McKinney, Texas, and had been in this position for eleven (11) months.
23. On or about November 17, 2011, while employed as a staff nurse with Medical Center of McKinney, McKinney, Texas, Respondent misappropriated narcotic medications from patients and was in possession of narcotics without a valid prescription while on duty. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
24. Respondent states that in November of 2011, she admitted to her employer, the Medical Center of McKinney, that she had a problem with dependency on narcotics and with the support of her employer she enrolled in Texas Peer Assistance Program for Nurses.

27. Respondent's conduct described in Findings of Fact Numbers Fifteen (15), Seventeen (17), and Twenty-Three (23), was significantly influenced by Respondent's impairment by dependency on chemicals.
28. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(B),(1C)&(1)(D). and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(6)(G)&(6)(H)&(10)(E).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 750843, heretofore issued to MELISSA SUE WARNTJES, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

#### ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include

payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep his/her license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact

privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

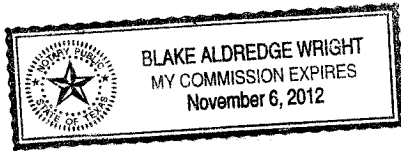
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of May, 2012.

Melissa Sue Warntjes  
MELISSA SUE WARNTJES, Respondent

Sworn to and subscribed before me this 14 day of May, 2012.

SEAL



Blake Aldredge Wright

Notary Public in and for the State of Texas

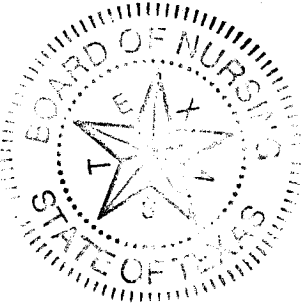
Approved as to form and substance.

Brandy Schnautz Mann  
Brandy Schnautz Mann, Attorney for Respondent


Signed this 21 day of May, 2012.



WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 14th day of May, 2012, by MELISSA SUE WARNTJES, Registered Nurse License Number 750843, and said Order is final.



Entered and effective this 24th day of May, 2012.

  
Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse           §       AGREED  
License Number 750843                       §  
issued to MELISSA SUE WARNTJES           §       ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MELISSA SUE WARNTJES, Registered Nurse License Number 750843, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 21, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from El Centro College, Dallas, Texas on December 13, 2007. Respondent was licensed to practice professional nursing in the State of Texas on February 5, 2008.
5. Respondent's nursing employment history includes:  

1/2008 - 12/2008	Staff Nurse	Presbyterian Hospital of Dallas
	Labor & Delivery	Dallas, Texas

Respondent's professional nursing employment history continued:

1/2009 - 7/2009	Staff Nurse	University of Texas Southwestern Spine Center Dallas, Texas
7/2009 - 3/2010	Nurse Manager	FastER Care Urgent Care Center Richardson, Texas
4/2010 - Present	Unknown	

6. At the time of the initial incident, in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Presbyterian Hospital of Dallas, Dallas, Texas, and had been in this position for seven (7) months.
7. On or about August 27, 2008, while employed as a Staff Nurse with Presbyterian Hospital of Dallas, Dallas, Texas, Respondent incorrectly infused Intravenous Fluid for Patient MR#976455 at a rate of 200cc's per hour instead of 150cc's per hour, as ordered. Respondent's conduct resulted in the patient receiving more fluid than ordered by the physician and could have resulted in the patient experiencing fluid overload.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states an error was made by the nurse she was precepting and Respondent caught the error. Respondent also states she had only been out of school eight (8) months and had expressed concerns that she was still learning and was uncomfortable in the role of supervisor before the precept was assigned to her. However, Respondent acknowledges that as the preceptor she was responsible for the patient, but the mistake was caught, dose changed, and the physician was notified.
9. On or about November 22, 2008, while employed as a Staff Nurse with Presbyterian Hospital of Dallas, Dallas, Texas, Respondent failed to document Vital Signs on post-operative Patient MR#1279564. Respondent's conduct resulted in an incomplete medical record that was likely to cause injury to the patient in that subsequent care givers would be denied essential information on which to base further patient care.
10. In response to the incident in Finding of Fact Number Nine (9), Respondent states that when patients are returned to their rooms after surgical procedures, the Certified Registered Nurse Anesthetist who accompanies the patient connects the patient to the vital signs monitor and sets the monitor to record the vital signs. Respondent states that on this occasion, the monitor was not set to record the readings, but Respondent was in the room and would have noticed if there were any abnormal readings.

11. On or about December 24, 2008, while employed as a Staff Nurse with Presbyterian Hospital of Dallas, Dallas, Texas, Respondent failed to document that she notified the physician that Patient MR#1042306 had experienced three (3) elevated blood pressure and pulse reading between 16:00 and 21:30. Respondent's conduct resulted in an incomplete medical record that was likely to cause injury to the patient in that subsequent care givers would be denied essential information on which to base further patient care.
12. In response to the incident in Finding of Fact Number Eleven (11) Respondent states the physician had written parameters for his patients and had instructed the nurses to contact him only if the patient went outside the parameters which this patient did not. Respondent also states she called the physician to report her concerns regarding the blood pressure.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(B),(1)(C)&(1)(D) and 217.12(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 750843, heretofore issued to MELISSA SUE WARNTJES, including revocation of Respondent's license to practice professional nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable

to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*  
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

(2) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete a course in medication administration. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*  
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

(3) RESPONDENT SHALL, within one (1) year of entry of this Order successfully

complete a course in nursing documentation. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*  
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(4) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address:* <http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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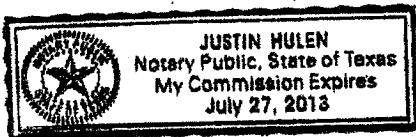
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 27 day of May 2010  
Melissa Sue Warntjes  
MELISSA SUE WARNTJES, Respondent

Sworn to and subscribed before me this 27 day of May, 2010.

SEAL

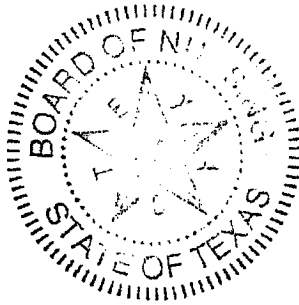


Justin Hulen  
Notary Public in and for the State of TEXAS


Approved as to form and substance.  
David Criss by Leah Collier  
David Criss, Attorney for Respondent

Signed this 2 day of June, 2010.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 27th day of May, 2010, by MELISSA SUE WARNTJES, Registered Nurse License Number 750843, and said Order is final.



Effective this 7<sup>th</sup> day of June, 2010.

  
Katherine A. Thomas, MN, RN  
Executive Director on behalf  
of said Board