

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

In the Matter of § AGREED
Registered Nurse License Number 696869 §
issued to SHEILA TURPEN LOPEZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHEILA TURPEN LOPEZ, Registered Nurse License Number 696869, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on June 27, 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 representation by counsel, 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 Temple College, Temple, Texas, on May 9, 2003. Respondent was licensed to practice professional nursing in the State of Texas on June 24, 2003.
5. Respondent's nursing employment history includes:

5/2003 - 10/2004	Emergency and Operating Room Staff Nurse	Richards Memorial Hospital Rockdale, Texas
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Respondent's nursing employment history continued:

10/2004 - 8/2006	ADON & Operating Room Supervisor	Richards Memorial Hospital Rockdale, Texas
8/2006 - Present	DON & Operating Room Supervisor	Richards Memorial Hospital Rockdale, Texas

6. On or about May 27, 2008, the Respondent was issued the sanction of Remedial Education through an Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated May 27, 2008, is attached and incorporated by reference as part of this Order.
7. At the time of the incidents in Findings of Fact Seven (7) through Sixteen (16), Respondent was employed as an Operating Room Supervisor and Director of Nursing with Richards Memorial Hospital, Rockdale, Texas, and had been in this position for one (1) year and nine (9) months.
8. On or about March 4, 2010, while employed as the Operating Room Supervisor and Director of Nursing with Richards Memorial Hospital, Rockdale, Texas, Respondent falsely signed as the witness to the waste of narcotics in the Operating Room when she was out of town on vacation. Respondent's conduct was deceiving and placed the pharmacy in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
9. Respondent admits she signed the count sheets. Respondent states she had been out of town, and when she returned to work, the pharmacy had placed the count sheets in a folder on her desk for signatures. Respondent claims that she mistakenly believed the pharmacy had determined it was her signatures that were needed to complete the forms so she signed them without reading them carefully. Respondent states she realizes this was a mistake.
10. On or about March 16, 2010, while employed as the Operating Room Supervisor and Director of Nursing with Richards Memorial Hospital, Rockdale, Texas, Respondent failed to ensure the narcotic count discrepancy of a missing vial of Morphine 5 mg and two (2) missing vials of Demerol 50 mg, were reported to the pharmacy in a timely manner as required. Respondent's conduct placed the pharmacy in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
11. Respondent admits it was the next day when she reported the missing medication because she was trying to reconcile the medications with the recent charts to be sure it was actually missing and not a transcription error. However, after reviewing the charts and not finding the error, Respondent states that she notified the risk manager because the pharmacist was only there 2 days a week.

12. On or about March 21, 2010, while employed as the Operating Room Supervisor and Director of Nursing with Richards Memorial Hospital, Rockdale, Texas, Respondent failed to ensure the narcotic count was performed by two (2) licensed individuals as required. Respondent's conduct placed the pharmacy in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
13. Respondent states she does not know how this happened because the Operating Room count is done prior to the start of the first case, and again at the end of the last case, usually by the Operating Room Circulator and the Certified Registered Nurse Anesthetist (CRNA).
14. On or about March 28, 2010, while employed as the Operating Room Supervisor and Director of Nursing with Richards Memorial Hospital, Rockdale, Texas, Respondent failed to ensure that opened and undated medications were removed from the Operating Room stock as required. Additionally, Respondent failed to ensure that five (5) boxes of Sodium Pentathol with an expiration date of Jan 2011, were removed from the Operating Room stock, as required. Respondent's conduct failed to promote a safe environment for patients and placed the pharmacy in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
15. Respondent states it has been the practice of the Operating Room for many years to discard open or partially used vials of medications regardless of multi-dose labeling after each use. Respondent adds that the exceptions are medications kept on the anesthesia cart. Respondent states that after the last two surveys were conducted, the Operating Room was not cited for unopened or unlabeled medications. Regarding the expired Sodium Pentathol, Respondent states that around mid December the pharmacy notified her that the Pentothal was going out of date, and in January, Respondent contacted the pharmacy who agreed to pick up the expired Pentothal. Respondent explains that she placed a label on the Pentothal that was expired because the Pentothal boxes are big and the pharmacy had no place to store them until the day of disposal. Respondent admits that she forgot about them assuming the pharmacy would pick them up on their monthly inspection.

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 violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A)&(B) and 22 TEX. ADMIN. CODE §217.12(1)(B),(2)&(6)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number

696869, heretofore issued to SHEILA TURPEN LOPEZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of a 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, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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 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.texas.gov/disciplinaryaction/stipscourses.html>.

(2) 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.texas.gov/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Professional Accountability ...," a 5.4 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 Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

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

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RESPONDENT'S CERTIFICATION

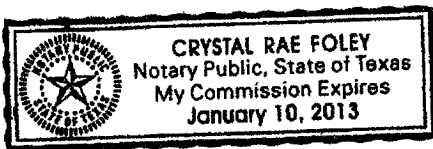
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30 day of July, 2012.
Sheila Lopez
SHEILA TURPEN LOPEZ, Respondent

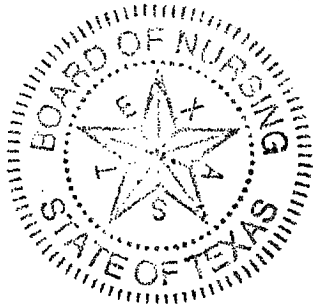
Sworn to and subscribed before me this 30 day of July, 2012

SEAL

Crystal Foley
Notary Public in and for the State of Texas



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 30th day of July, 2012, by SHEILA TURPEN LOPEZ, Registered Nurse License Number 696869, and said Order is final.



Effective this 1st day of August, 2012.

A handwritten signature in cursive script, reading 'Katherine A. Thomas', is written over a horizontal line.

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 696869 § AGREED
issued to SHEILA TURPEN LOPEZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHEILA TURPEN LOPEZ, Registered Nurse License Number 696869, 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 conference, notice and hearing, and agreed to the entry of this Order offered on April 22, 2008, 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 conference, 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 from Temple College, Temple, Texas, on May 9, 2003. Respondent was licensed to practice professional nursing in the State of Texas on June 24, 2003.
5. Respondent's professional nursing employment history includes:

6/03 - 1/06	Staff Nurse	Richards Memorial Hospital
	Operating & Emergency Room	Rockdale, Texas

Respondent's professional nursing employment continued:

2/06 - Present Director of Nursing Richards Memorial Hospital
Rockdale, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as the Director of Nursing with Richards Memorial Hospital, Rockdale, Texas, and had been in this position for four (4) months.
7. On or about April 2006, while employed as the Director of Nursing with Richards Memorial Hospital, Rockdale, Texas, Respondent allowed an Emergency Room Technician (EMT) to perform duties that were beyond his educational preparation, training and skills, including patient triage and patient assessments. The staffing of this emergency room included the physician, a licensed nurse and the EMT. During this time, the EMT successfully completed the first semester of a professional nursing education program, which would meet the facility's job qualifications of a Student Nurse Technician. However, the duties of a Student Nurse Technician do not include patient triage or patient assessments. Additionally, the EMT never completed the professional nurse education program and was never licensed to practice professional or vocational nursing in the State of Texas. Respondent's conduct deceived fellow staff members as well as the public.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the EMT had been employed in the Emergency Department since October 2004, and he had previous experience as an EMT and as a Paramedic. Respondent explains that she interpreted the duties of the Student Nurse Technician to include focused assessments if under the supervision of a licensed nurse or physician.

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)(A),(1)(B), (1)(S),(1)(U)&(3)(B) and 217.12(1)(B),(1)(D)&(1)(F).
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 696869, heretofore issued to SHEILA TURPEN LOPEZ, 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, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional 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 multistate licensure 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 deliver the wallet-sized license issued to SHEILA TURPEN LOPEZ to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) 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) contact 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/disciplinary action](http://www.bon.state.tx.us/disciplinary_action).

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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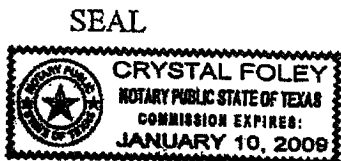
RESPONDENT'S CERTIFICATION

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. 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 9th day of May, 2008.

Sheila Lopez
SHEILA TURPEN LOPEZ, Respondent

Sworn to and subscribed before me this 9th day of May, 2008.



Crystal Foley

Notary Public in and for the State of Texas


Approved as to form and substance.

Fletcher H. Brown
Fletcher H. Brown, Attorney for Respondent

Signed this 19th day of May, 2008.

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 9th day of May, 2008, by SHEILA TURPEN LOPEZ, Registered Nurse License Number 696869, and said Order is final.

Effective this 27th day of May, 2008.


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