

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse §  
License Number 122738 §  
issued to LILLIAN FAYE HARRIS §



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.  
*Patricia R. Thomas*  
Executive Director of the Board

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Nurse Vocational Nurse License Number 122738 issued to LILLIAN FAYE HARRIS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Northeast Texas Community College, Mt. Pleasant, Texas, on August 12, 1988. Respondent was licensed to practice vocational nursing in the State of Texas on December 8, 1988.

4. Respondent's nursing employment history includes:

12/1988-3/1989	LVN	Titus Regional Medical Center Mount Pleasant, Texas
4/1989-9/1991	LVN	Villa Nursing Home Mount Pleasant, Texas

Respondent's nursing employment history continued:

9/1991-4/1992	LVN	St. Joseph Hospital Paris, Texas
4/1992-6/1992	LVN	Villa Nursing Home Mount Pleasant, Texas
12/1992-8/1997	LVN	Hospitality House Mount Pleasant, Texas
9/1997-5/2003	Unknown	
6/2003-8/2003	LVN	Titus Regional Medical Center Mount Pleasant, Texas
9/2003-10/2003	LVN	Continuous Care Solutions Hurst, Texas
10/2003-3/2004	LVN	Longmeadow Nursing Home Justin, Texas
11/2003-3/2004	LVN	Lake Worth Nursing Home Lake Worth, Texas
3/2003-12/2009	LVN	North Pointe Nursing and Rehabilitation Watauga, Texas
1/2010-Present	LVN	Continuous Care Solutions Hurst, Texas

5. At the time of the incident, Respondent was employed as a LVN with North Pointe Nursing and Rehabilitation, Watauga, Texas, and had been in this position for six (6) years and nine (9) months.
6. On May 18, 2010, the Board provided notice to Respondent for the following allegations:
  - a. On or about December 27, 2009, while employed with North Pointe Nursing and Rehabilitation, Watauga, Texas, Respondent failed to adequately assess Resident S. M. and intervene when the resident had a significant change in condition. Respondent documented in the resident's medical record, "Resident lethargic, blood pressure 103/62, pulse 109... Oxygen saturation at 44% on room air, Oxygen applied and saturation improved to 97%..." and a hour later Respondent wrote, "Oxygen

saturation dropped again, resident lethargic, not answering when spoken to... " Respondent failed to notify the resident's physician of this change in condition or provide other interventions until the resident's daughter arrived at the facility and insisted the resident be evaluated by a physician. The resident's daughter observed the resident's condition and asked Respondent what was wrong with her dad, to which Respondent replied "he's just tired" and that "he would be fine." At the insistence of the resident's daughter Respondent arranged for non emergency transport of the resident to a local hospital where the resident subsequently died. Respondent's conduct exposed the patient unnecessarily to a risk of harm from complications due to undiagnosed and, consequently, untreated disease processes which may have contributed to his demise.

7. On March 25, 2011, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas. A copy of Respondent's notarized statement, dated March 19, 2011, is attached and incorporated herein by reference as part of this Order.

#### 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 of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(M)&(2)(A) and 217.12(1)(A)&(4).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 122738, heretofore issued to LILLIAN FAYE HARRIS, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of vocational nurse or the abbreviation LVN or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

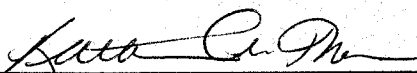
IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice vocational nursing in the State of Texas.

Effective this 31st day of March, 2011.

TEXAS BOARD OF NURSING



By:

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