BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 157381	§	
issued to CECELIA L. BOYCE	§	ORDER

TEXAS BOARD OF NURSING

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.

Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of CECELIA L. BOYCE, Vocational Nurse License Number 157381, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 19, 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(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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Concorde Career Institute, Hollywood, California, on August 14, 1987. Respondent was licensed to practice vocational nursing in the State of Texas on May 2, 1996.

5. Respondent's vocational nursing employment history includes:

08/87 - 07/94	Unknown	
05/95 - 08/98	LVN	O'Grady Peyton International Savannah, Georgia

Respondent's vocational nursing employment history continued:

08/94 - 07/03	LVN	HRN Services Inc. West Covina, California
01/01 - 02/03	LVN	Medical Staffing Network Culver City, California
10/05 - 10/08	LVN	Core Medical Group Salem, New Hampshire
02/01 - 05/08	LVN	CoreMed Staff Los Angeles, California
10/08 - 04/09	Travel LVN	TravelMax Nursing Tampa, Florida
01/09 - Unknown	Agency LVN	Supplemental Health Care Houston, Texas
06/09 - Present	Pre-op LVN	Austin Access Care Austin, Texas

6. On or about March 2, 2009, while employed with Supplemental Health Care, Houston, Texas, and assigned to The University of Texas Medical Branch - Correctional Managed Care, Lewis Facility, The Woodlands, Texas, Respondent failed to consult with the physician after Texas Department of Criminal Justice (TDCJ) Inmate Number 1359176 became agitated, assaultive, suicidal, threatening and uncooperative, and Respondent subsequently administered Haldol and Cogentin to Inmate Number 1359176, against his will and without having obtained authorization for the administration of compelled medications. Respondent's conduct was likely to injure the patient by denying him the right to self determination and participation in his own treatment.

7. On or about March 2, 2009, while employed with Supplemental Health Care, Houston, Texas, and assigned to The University of Texas Medical Branch - Correctional Managed Care, Lewis Facility, The Woodlands, Texas, Respondent failed to accurately and/or completely document the administration of Haldol and Cogentin to TDCJ Inmate Number 1359176 in the inmate's medical record. Respondent's conduct created an inaccurate medical record and was likely to injure the inmate in that subsequent care givers would rely on her documentation on which to base their decisions for further medical care.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states:

"All of my actions were done under the direction of my preceptor who walked me through the unit's policy for dealing with a suicidal inmate who remains combative and is threatening to kill himself."

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),(B),(C),(D)&(P) and 217.12(1)(A),(1)(B)&(4).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 157381, heretofore issued to CECELIA L. BOYCE, 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 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(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.state.tx.us/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.state.tx.us/disciplinaryaction/stipscourses.html.*

(3) 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://learningext.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(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12 day of January, 2011.

Cecelia L. Boyce

CECELIA L. BOYCE, Respondent

Sworn to and subscribed before me this 12 day of JANUARY, 2011.

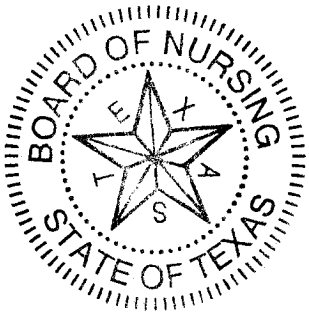
SEAL

PEGGY SUE COLLUM
MY COMMISSION EXPIRES
July 29, 2013

Peggy Sue Collum

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 12th day of January, 20 11, by CECELIA L. BOYCE, Vocational Nurse License Number 157381, and said Order is final.



Effective this 19th day of January, 20 11.

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