

BEFORE THE TEXAS BOARD OF NURSING



In the Matter of Registered Nurse § AGREED
License Number 612840 §
issued to MELODY A. McLAUGHLIN § ORDER

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 A. Thomas
Executive Director of the Board

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that MELODY A. McLAUGHLIN, hereinafter referred to as Respondent, Registered Nurse License Number 612840, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on September 28, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Nancy Roper Willson, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; Nikki Hopkins, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Desha J. Melton, RN, Investigator.

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 notice and hearing, and consented 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 Tarrant County Junior College, Fort Worth, Texas, on December 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on January 31, 1995.
5. Respondent's nursing employment history includes:

01/1995 - 02/1996

Staff Nurse

West Side Care Center
Fort Worth, Texas

Respondent's nursing employment history continued:

02/1996 - 05/2006	Staff Nurse	Plaza Medical Center of Fort Worth Fort Worth, Texas
1999 - 2001	Staff Nurse	Hughley Hospital Burleson, Texas
06/2006 - 01/2009	Travel Nurse	Intellistaf Travel Nursing Dallas, Texas
02/2009 - 09/2010	Staff Nurse	Presbyterian Hospital of Denton Denton, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Plaza Medical Center of Fort Worth, Fort Worth, Texas, and had been in this position for nine (9) years and nine (9) months.
7. On or about November 22, 2005, while employed as a Staff Nurse with Plaza Medical Center of Fort Worth, Ft. Worth, Texas, Respondent failed to place Patient Number 054469 on a cardiac monitor upon admission at 1430 hours to the Telemetry Unit, per hospital policy. Respondent's conduct delayed cardiac assessment, which deprived care givers of information on which to base their care decisions.
8. On or about November 22, 2005, while employed as a Staff Nurse with Plaza Medical Center of Fort Worth, Ft. Worth, Texas, Respondent failed to send to the pharmacy and scan into the Electronic Medication Administration Record (EMAR) an order increasing the dosage of Demerol for Patient Number 054469, according to hospital policy. Respondent's conduct resulted in an incomplete medical record.
9. On or about May 13, 2006, while employed as a Staff Nurse with Plaza Medical Center of Fort Worth, Ft. Worth, Texas, Respondent failed to document the administration of Insulin in the medical record of Patient Number 284393. When the day nurse was about to administer Insulin to the patient, the patient told her that he had already received the Insulin from his night nurse, Respondent. The staff called Respondent, who confirmed that she had administered the Insulin. Additionally, Respondent failed to document if the Insulin was verified by another nurse, as required by hospital policy. Respondent's conduct resulted in an inaccurate medical record, and placed the patient at risk for receiving an overdose of Insulin, which could have caused a hypoglycemic reaction, requiring emergency intervention and/or leading to eventual demise.
10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent contends that the nurse who brought the patient to the floor told Respondent that he would transfer the patient to the bed and "get her set up" because Respondent was

extremely busy, which Respondent states she believed to mean that he would apply the unit based telemetry monitor; however, when she entered the patient's room later, she did not notice that the patient was not hooked up to the monitor. Regarding Patient Number 054469, Respondent states that she accepts responsibility for violating hospital procedure and facility medication administration standards, and explains that the patient was in pain and she did not want to delay administration of ordered pain medication by having to wait for the pharmacist, so she over-rode the EMAR system. Respondent states that she intended to go back and scan the document but did not do so. According to Respondent, although she documented the administration of Insulin in the patient's paper Medication Administration Record, she failed to electronically document administration, for which she states that she takes full responsibility. Respondent concludes that she is not the same nurse as she was when she worked at Plaza Medical Center of Fort Worth and that she is a better nurse now because of the Board investigation.

11. On or about March 20, 2009, Respondent completed a Board-approved class in Nursing Documentation, which would have been a requirement of this Order
12. On or about March 21, 2009, Respondent completed a Board-approved class in Texas Nursing Ethics/Jurisprudence, which would have been a requirement of this Order
13. On or about March 22, 2009, Respondent completed a Board-approved class in Sharpening Critical Thinking Skills, which would have been a requirement of this Order
14. The Board finds that Respondent is currently attending a program of study toward a Baccalaureate Degree in Nursing and has completed the essential elements of nursing assessment, which would have been a requirement of this Order.

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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A),(1)(B),(1)(C),(1)(D),(1)(M)&(3)(A) and 217.12(1)(A),(1)(B),(1)(C)&(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 612840, heretofore issued to MELODY A. McLAUGHLIN, including revocation of Respondent's license(s) to practice 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 a WARNING WITH STIPULATIONS, 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 Texas Board of Nursing 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 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>

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD.

(2) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(3) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(4) RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

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 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 ____ day of _____, 20__.

MELODY A. McLAUGHLIN, Respondent

Sworn to and subscribed before me this ____ day of _____, 20__.

SEAL

Notary Public in and for the State of _____

Approved as to form and substance.

Nancy Roper Willson, Attorney for Respondent

Signed this ____ day of _____, 20__.

RESPONDENT'S CERTIFICATION

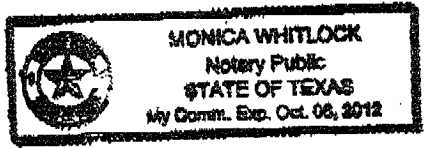
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 9 day of November 2010
Melody A. McLaughlin
MELODY A. McLAUGHLIN, Respondent

Sworn to and subscribed before me this 9th day of November 2010

SEAL

Monica Whitlock
Notary Public in and for the State of Texas




Nancy Roper Willson
Approved as to form and substance.
Nancy Roper Willson, Attorney for Respondent

Signed this 11th day of November 2010

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 9th day of November, 2010, by MELODY A. McLAUGHLIN, Registered Nurse License Number 612840, and said Order is final.

Effective this 14th day of December, 2010.




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