



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 Registered Nurse § AGREED
License Number 563409 §
issued to LINDA DELORES MARION § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LINDA DELORES MARION, Registered Nurse License Number 563409, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on June 8, 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 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 Central Texas College, Killeen, Texas, on May 1, 1990. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1990.
5. Respondent's nursing employment history includes:

5/1990-8/1993	Staff RN Labor and Delivery	Scott and White Hospital Temple, Texas
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Respondent's nursing employment history continued:

8/1993-12/1996	Travel RN	Cross Country Staffing Boca Raton, Florida
1/1997-2/1997	Unknown	
3/1997-11/1997	Staff RN Labor and Delivery	Metroplex Hospital Killeen, Texas
12/1997-1/1998	Unknown	
2/1998-12/2002	Charge Nurse	Christus St. Joseph Hospital Houston, Texas
1/2003	Unknown	
2/2003-8/2007	Staff Nurse Maternal-Fetal	Memorial Hermann Hospital Houston, Texas
11/2005-10/2007	Nurse Supervisor	Baylor College of Medicine Houston, Texas
10/2007-4/2010	Nurse Educator	Bard Medical Division Covington, Georgia
4/2010-Present	Nurse Educator	Ashfield Healthcare Ashby-de-la-Zouch Leicestershire, UK

6. On or about March 22, 2010, through March 23, 2010, Respondent inappropriately disclosed confidential patient medical information regarding Patient KK during conversations that Respondent posted on her public Face Book pages. Respondent had previously been employed as a Labor and Delivery Nurse at Metroplex Hospital, Killeen, Texas, between March 1997 and November 1997, and Respondent had access to the medical records of former patients, which were stored and maintained on the unit and which included the medical records of Patient KK, who had been admitted to the facility's Labor and Delivery Unit in 1996. Respondent's conduct was likely to cause psychological injury to the patient and violated the patient confidentiality requirements of the Health Insurance Portability and Accountability Act (HIPAA).
7. In response to the incident in Finding of Fact Number Six (6), Respondent states she has not been in direct patient contact or had access to patient information since October 2007. Respondent states she has no contact with patients, their families, or medical professionals regarding any patient conditions and she was not employed by any healthcare organization on the dates of the incident. Respondent states she did not access the medical record of

Patient KK while she was employed with Metroplex Hospital, Killeen, Texas, and that the information she disclosed on Face Book was "common knowledge" during the time she and Patient KK lived in a the small community of Killeen, Texas. Respondent admits she violated the confidentiality of Patient KK when she disclosed the patient's medical information on Face Book.

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)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)&(1)(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 563409, heretofore issued to LINDA DELORES MARION, 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 with a FINE, 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 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>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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.

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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 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.

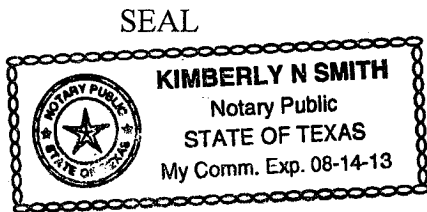
Signed this 20 day of July, 20 10.

Linda Delores Marion
LINDA DELORES MARION, Respondent

Sworn to and subscribed before me this 20th day of July, 20 10.

Kimberly N Smith

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 20th day of July, 2010, by LINDA DELORES MARION, Registered Nurse License Number 563409, and said Order is final.



Effective this 27 day of July, 2010.

Katherine A. Thomas

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