

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse §  
License Number 432751 §  
issued to RODERICK ERNEST GILCHRIST §



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 P. 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 Registered Nurse License Number 432751, issued to RODERICK ERNEST GILCHRIST, 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 license to practice professional nursing in the State of Texas is in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Delta College School of Nursing, Saginaw, Michigan, on May 1, 1972. Respondent was licensed to practice professional nursing in the State of Texas on May 27, 1975.
4. Respondent's professional nursing employment history includes:

5/1972-11/1973

ER Nurse  
Saginaw Osteopathic Hospital  
Saginaw, Michigan

1973-1975

Surgical Nurse  
Carswell Air Force Base  
Fort Worth, Texas

Respondent's professional nursing employment history continued;

1977-1986	Not employed in nursing
1986-8/02	Unknown
9/02 - 10/07	Staff Nurse Seton Northwest Hospital Austin, Texas
11/07 - present	Unknown

5. On or about March 10, 1977, Respondent's license to practice professional nursing in the State of Texas was revoked by the Board of Nurse Examiners for the State of Texas . A copy of the Order of the Board dated March 10, 1977, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
6. On or about November 19, 1986, Respondent's license to practice professional nursing in the State of Texas was reinstated by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusion of Law, and Reinstatement Agreed Order dated November 19, 1986, is attached and incorporated, by reference, as part of this Order.
7. At the time of the incidents in Finding of Fact Number Eight (8), Respondent was employed as a Registered Nurse with Seton Northwest Hospital, Austin, Texas, and had been in this position for approximately four (4) years and six (6) months.
8. On January 14, 2008, the Board provided notice to Respondent regarding the following allegations:
  - On or about August 26, 2002, Respondent provided false and deceptive information on an employment application submitted to Seton Northwest Hospital, Austin, Texas, in that he falsely documented that for the year 1978 through 1979, he was employed as a nurse with Brown Schools, Austin, Texas, when in fact Respondent's nursing license had been revoked.

- On or about March 9, 2007, while employed with Seton Northwest Hospital, Austin, Texas, Respondent failed to completely document a nursing assessment for Patient MR#5166645, as required.
  - On or about March 9, 2007, while employed with Seton Northwest Hospital, Austin, Texas, Respondent failed to administer and /or document the administration of a third dose of “Nitroglycerin” to Patient MR#5166645, as ordered.
  - On or about March 9, 2007, while employed with Seton Northwest Hospital, Austin, Texas, Respondent failed to document the amount of “Dilaudid” administered to Patient MR#5166645, as required.
  - On or about March 9, 2007, while employed with Seton Northwest Hospital, Austin, Texas, Respondent failed to administer “Lovenox SQ” to Patient MR#5166645, who was having acute Electrocardiogram (EKG) changes, as ordered by the physician.
  - On or about March 9, 2007, while employed with Seton Northwest Hospital, Austin, Texas, Respondent failed to report to the receiving nurse that Patient MR# 5166645 had experienced Electrocardiogram (EKG) changes and an Acute Myocardial Infarction.
9. On June 4, 2010 Respondent submitted a statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of Respondent's statement, dated June 4, 2010, 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(10), TEX. ADMIN.CODE §217.12 (22)&(23), (effective 1/31/2004), and Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B), (1)(C),(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(B),(4), (effective after 9/28/04).
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 Registered Nurse License Number 432751, heretofore issued to RODERICK ERNEST GILCHRIST, to practice professional 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 professional nursing, use the title of Registered Nurse or the abbreviation RN or wear any insignia identifying himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered 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 professional nursing in the State of Texas.

Effective this 7<sup>th</sup> day of June 7, 2010.



TEXAS BOARD OF NURSING

By:

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

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Permanent Certificate   §  
Number 4-32751 issued to                   §  
RODERICK ERNEST GILCHRIST               §

ORDER OF THE BOARD

TO: Roderick Ernest Gilchrist  
2319 Cypress Point East  
Austin, Texas 78746

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting on November 19, 1986, heard the application for reinstatement of license number 4-32751, heretofore issued to RODERICK ERNEST GILCHRIST, according to Article 4525c, Revised Civil Statutes of Texas, as amended.

At the meeting, Mrs. Mary Elizabeth Jackson, President of the Board, presided and the following members were present:

Mrs. Pauline Barnes, R.N.	Dr. Ruby Morris
Mrs. Karen G. Cure, R.N.	Dr. Jean Pryor, R.N.
Mrs. Mary Virginia Jacobs, R.N.	Mrs. A. Joanna Seamans, R.N.

The applicant was present at the meeting, but was not represented by counsel. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following decision.

ORDER

NOW, THEREFORE, IT IS ORDERED that license number 4-32751, heretofore issued to RODERICK ERNEST GILCHRIST to practice professional nursing in the State of Texas be and the same is hereby reinstated upon the receipt in the office of the Board of Nurse Examiners of written evidence from Respondent's employer in professional nursing verifying that they will provide Respondent

with an extended orientation to his position or written evidence from the offering institution verifying that Mr. Gilchrist has enrolled in a nursing refresher course. Said orientation or refresher course shall include instruction in updated nursing skills, knowledge of advanced technology and legal aspects of nursing.

IT IS FURTHER ORDERED that license number 4-32751, heretofore issued to RODERICK ERNEST GILCHRIST be reinstated upon compliance with the following stipulations for a minimum period of one (1) year and payment of re-registration fees:

(1) Respondent shall notify each employer/potential employer in professional nursing of this Order of the Board and the stipulations on his/her license by presenting a copy of this order to each potential employer. When employment is obtained, the employer must submit the notification of employment form to the Board office.

(2) Upon successful completion of the aforementioned orientation or refresher course by Respondent, the Board of Nurse Examiners shall be notified, in writing, by the offering institution.

(3) That during his employment as a professional nurse, each employer of RODERICK ERNEST GILCHRIST submit on forms provided by the Board of Nurse Examiners, periodic reports as to his capability to practice professional nursing, such reports are due at the office of the Board of Nurse Examiners at the end of each three months of employment for a minimum period of one (1) year from the date of employment. If the place of employment changes, the Board of Nurse Examiners is to be notified immediately.

(4) The terms of this Order can be served only while Respondent is employed in the capacity of a registered nurse in a hospital, nursing home, or like employment, where the nurse is supervised. The nurse may not be employed by a nurse registry, temporary nurse employment agency or home health agency.

(5) The Board of Nurse Examiners shall review reports regarding the practice of professional nursing by Respondent at the end of the probation period. It is understood that after the review, the Board may restore all rights and privileges incident to the license of Respondent, but may also extend or modify the terms of probation, if extension or modification is warranted by evidence presented to the Board.

(6) That, RODERICK ERNEST GILCHRIST shall comply in all respects with the Revised Civil Statutes of Texas, Article 4513 through 4528, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice of the Board of Nurse Examiners and the provisions of the terms of this Order of the Board.

Entered this 19th day of November, 1986.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

BY *Margaret L. Rowland*  
(Mrs.) Margaret L. Rowland, R.N.,  
Executive Secretary on behalf of  
said Board

BEFORE THE BOARD OF NURSE EXAMINERS  
IN AND FOR THE STATE OF TEXAS  
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In the matter of Permanent Certificate  
Number 4-32751 issued to RODERICK  
ERNEST GILCHRIST

ORDER OF THE BOARD

TO: Roderick Ernest Gilchrist  
807 Castleridge #D  
Austin, Texas 78746

The Board of Nurse Examiners in and for the State of Texas in a regularly scheduled meeting, having set a Hearing to be held on March 10, 1977, to determine whether cause exists under Article 4525a (5) & (6), V.A.T.S., to suspend or revoke License No. 4-32751 heretofore issued to RODERICK ERNEST GILCHRIST pursuant to Texas law, which Hearing was held on March 10, 1977, pursuant to applicable Texas law.

At the Hearing, Sister Regis Maillian, R.N., President of the Board presided and the following members were present:

Dr. Barbara Woodard, R.N.  
Dr. Geddes McLaughlin, R.N.  
Mrs. Billie Bell, R.N.  
Mrs. Eunice King, R.N.

The Board of Nurse Examiners for the State of Texas was represented by Ace Pickens, Counsel to the Board. The respondent was present and was represented by Mr. Mark Bennett, Attorney. Testimony and other evidence were received by the Board and, as a result, thereof, the Board makes the following Findings of Fact and Conclusions of Law.

#### FINDINGS OF FACT

1. That Sworn Complaint was filed with the Board of Nurse Examiners for the State of Texas in accordance with law.
2. That Notice of Hearing and Complaint were served upon RODERICK ERNEST GILCHRIST in accordance with law.
3. That the nurse in question while on duty as a professional nurse at Brackenridge Hospital in Austin, Texas, did appropriate a narcotic substance i.e., Cocaine, from said hospital and administered same to himself.
4. That the evidence submitted was conclusive that, in the opinion of the Board, the nurse's activities constitute intemperate use of drugs which, endangered patients and was unprofessional or dishonorable conduct which could have injured the public.

#### CONCLUSIONS OF LAW

1. That pursuant to Article 4525, V.A.T.S., the Board of Nurse Examiners for the State of Texas has jurisdiction over this matter.
2. That the evidence presented constitutes sufficient cause pursuant to Article 4525a (5) & (6), V.A.T.S., to revoke license number 4-32751 heretofore issued to RODERICK ERNEST GILCHRIST to practice professional nursing in the State of Texas.

#### ORDER

NOW, THEREFORE, IT IS ORDERED that License No. 4-32751, heretofore issued to RODERICK ERNEST GILCHRIST, to practice professional nursing in the State of Texas be and the same is hereby revoked.

IT IS FURTHER ORDERED that the said license issued to RODERICK ERNEST GILCHRIST, when this decision becomes final, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED that RODERICK ERNEST GILCHRIST, in accordance with Article 4525c shall not be eligible for reissuance of a license to practice professional nursing in the State of Texas until application to the Board of Nurse Examiners is made and satisfaction of such requirements in such form and manner as

the board may require; however, in no event prior to one year from the effective date of such revocation.

IT IS FURTHER ORDERED AND THE BOARD SO FINDS, in accordance with Article 6252-13a, 16(c), V.A.T.S., that an imminent peril to the public health, safety, or welfare required immediate effect to this order and the same shall be effective on the date herein below rendered and the same may not be stayed except on proper application to a District Court in accordance with Article 4525c, V.A.T.S.

Entered this 10th day of March, 1977.

DEPARTMENT OF HEALTH  
In the State of Texas  
Certificate No. 1-32751  
ISSUED TO RODERICK E. GILCHRIST

The aforementioned Findings of Fact, Conclusions of Law and Order of the Board represent a final decision or order duly made by the Board of Nurse Examiners in and for the State of Texas this the 10th day of March, 1977.

Emmie King      Beverly Bell  
Beverly Woodward  
Sister Regina Mathan  
President