



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 Vocational Nurse § AGREED
License Number 211253 §
issued to DELISSIA L. SWAN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DELISSIA L. SWAN, Vocational Nurse License Number 211253, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 25, 2009, 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 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 North Central Texas college, Corinth, Texas on August 9, 2007. Respondent was licensed to practice vocational nursing in the State of Texas on August 23, 2007.
5. Respondent's vocational nursing employment history includes:

9/2007 - Present	Staff Nurse	Denton Regional Medical Center Denton, Texas
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6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Denton Regional Medical Center, Denton, Texas, and had been in this position for nine (9) months.
7. On or about June 11, 2008, and June 12, 2008, while employed as a Staff Nurse at Denton Regional Medical Center, Denton, Texas, Respondent inappropriately administered Morphine to post-operative patient SL, who was reportedly allergic to Morphine, Sulfa, Iodine, and Band-aids. Respondent's conduct could have caused injury to the patient in that the patient could have suffered an allergic reaction and could have experienced anaphylactic shock.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that when she received the patient from the recovery Room the registered nurse noted the Physician Medication Transfer Sheet which included orders for Morphine 2-10mg IV intravenous) every two (2) hours as needed. Respondent states that she medicated the patient as ordered and told the patient what she was being given for pain and at no time did the patient tell her she had an allergy to Morphine. Near the end of the shift Respondent states she reviewed the Kardex and it was then that she saw the allergy to Morphine noted on the chart. Respondent promptly notified the Charge Nurse and physician of this documented allergy and the Morphine given to the patient. Respondent states the Patient did not experience an allergic reaction to the Morphine and was discharged later the same day after being assessed by the physician.

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 violations of Section 301.452(b)(13) and Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B)&(1)(C).
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 211253, hereto issued to DELISSIA L. SWAN.

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, 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 multistate licensure privilege, 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 multistate licensure 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/stipcourses.html>

(2) 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, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

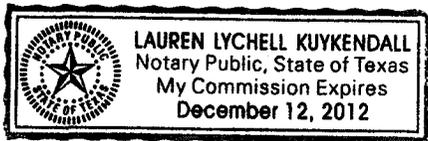
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to this Order to avoid further disciplinary action in this matter. I waive judicial review 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 22 day of April, 20 10

Demissia L. Swan
DEMISIA L. SWAN, Respondent

Sworn to and subscribed before me this 22 day of April, 20 10.

SEAL



Lauren Lychele Kuykendall
Notary Public in and for the State of Texas

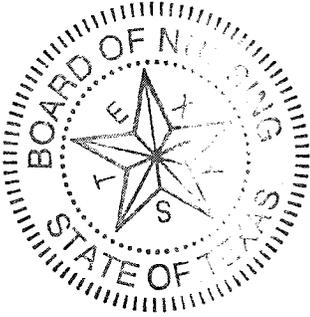
Approved as to form and substance.

David E. Olesky
David E. Olesky, Attorney for Respondent

Signed this 23rd day of April, 20 10

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 22nd day of April, 2010, by DELISSIA L. SWAN, Vocational Nurse License Number 211253, and said Order is final.

Effective this 28th day of April, 2010.




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