



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 Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 114465 §
issued to LOIS RUTH KLAPPER §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 114465, issued to LOIS RUTH KLAPPER, 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 is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Clarendon College, Clarendon, Texas, on August 26, 1985. Respondent was licensed to practice vocational nursing in the State of Texas on May 22, 1986.
4. Respondent's nursing employment history includes:

1986-1997	Unknown	
1998-1999	LVN	Bender Terrace Lubbock, Texas
1999-2002	LVN	Cornerstone Court Lubbock, Texas

Respondent's vocational nursing employment history continued:

2002-2003	LVN	Interim Healthcare Lubbock, Texas
3/2004-6/2005	LVN	Daybreak HCS Lubbock, Texas
6/2005-5/2006	Resident Service Director	Elmbrook Estates Lubbock, Texas
6/2006-Present	Unknown	

5. At the time of the initial incident, Respondent was employed as a Resident Service Director with Elmbrook Estates, Lubbock, Texas, and had been in this position for eleven (11) months.
6. On or about May 9, 2006, while employed as the Resident Service Director with Elmbrook Estates, Lubbock, Texas, the Respondent failed to provide medication management for Resident D.L.S., as requested by the family and ordered by the physician, to ensure the safety of the resident who had known conditions that included depression, anxiety, post traumatic stress, and a history of an overdose of pain medications at home. Respondent failed to ask the resident if the physician had given him any new prescriptions or medications during the resident's visit to the physician on May 9, 2006, an appointment that the Respondent had secured for the resident. Consequently, Resident D.L.S. was left in possession of newly dispensed narcotics, and later the same day, took an overdose of the medication. The resident required intubation and transport via Emergency Medical Services to the hospital where he was admitted for additional care. Respondent's conduct failed to take precautions to prevent the misuse of medications, which was likely to result in resident harm.
7. In response to the incident in Finding of Fact Number Six (6), Respondent states that she admitted the resident to Elmbrook Estates and explained to the resident and his brother that she could not manage his medications until he had a local doctor to give orders. She states she went through the medications with the resident and his brother and took his Duragesic patch to her office with his consent. She states the resident had no other narcotics at that time. She assisted the resident with securing an appointment for the next day with a local doctor. Respondent states that when the resident returned from the doctor visit, both he and his brother stated that the doctor had told them the resident needed to make an appointment with a Veterans Affairs (VA) doctor. Respondent assumed this meant the local doctor had not taken this resident on as a patient. Respondent told them she would assist in getting him an appointment at the VA clinic the next day, but she was absent from work that day, May 10, 2006. When she returned to work on May 11, 2006, she found the resident had been sent to the hospital because he had overdosed on Lortab.

8. On March 25, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas. A copy of Respondent's notarized statement, dated March 22, 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(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(B),(1)(M),(1)(P)&(2)(A) and 217.12(1)(A)&(4).
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 Vocational Nurse License Number 114465, heretofore issued to LOIS RUTH KLAPPER, to practice vocational 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 vocational nursing, use the title of vocational nurse or the abbreviation LVN or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational 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 vocational nursing in the State of Texas.

Effective this 25th day of March, 2010.

TEXAS BOARD OF NURSING

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



Lois Ruth Klapper
2201 47th St.
Lubbock, Texas 79412
Texas Vocational License #114465

Voluntary Surrender Statement

February 10, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Lois Klapper

Date 3/22/10

Texas Nursing License Number/s 114465

The State of Texas

Before me, the undersigned authority, on this date personally appeared Lois Ruth Klapper who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 22nd day of March, 2010.

SEAL

Charlotte Johnston
Notary Public in and for the State of Texas

