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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 249270 § **AGREED ORDER**
issued to LUCINDA NELL WHITE §

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LUCINDA NELL WHITE, License Number 249270, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 10, 2009, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 a Baccalaureate Degree in Nursing from Texas Christian University, Christian-Harris College, Fort Worth, Texas, in May 1979. Respondent was licensed to practice professional nursing in the State of Texas on September 4, 1979.
5. Respondent's professional nursing employment history includes:

09/79 - 1980	Staff Nurse	Huntsville Memorial Hospital Huntsville, Texas
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Respondent's professional nursing employment history continued:

1980 - 1983	Acute Home Dialysis	Madisonville Dialysis Madisonville, Texas
1983 - 1984	Charge Nurse	Madison County Hospital Madisonville, Texas
05/84 - 08/87	Home Health Nurse	Home Health Care of Huntsville Huntsville, Texas
08/87 - 05/89	Staff Nurse	Huntsville Memorial Hospital Huntsville, Texas
05/89 - 07/03	Staff Nurse ICU/CCU	St. Joseph Regional Health Center Bryan, Texas
2003 - 2005	Home Health Nurse	Choice Home Health Bryan, Texas
2005 - 08/06	Clinical Director	Southern Care Hospice College Station, Texas
08/06 - 03/07	Staff Nurse/ICU	College Station Medical Center College Station, Texas
04/07 - Present	Unknown	

6. At the time of the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent was employed as a Staff Nurse with St. Joseph Regional Health Center, Bryan, Texas, and had been in this position for fourteen (14) years and two (2) months.
7. On or about May 23, 2003, through July 24, 2003, while employed with St. Joseph Regional Health Center, Bryan, Texas, Respondent withdrew Demerol, Morphine, Lortab, and Ambien from the Diebold Medication Dispensing System for patients, with no physician's order for the medications, as follows:

Date	Time	Patient	Physician's Order	Diebold Record	MAR	Nurses Notes
May 23, 2003	04:27am	J12484457	No Order for Demerol	Demerol 50mg	No	No
May 25, 2003	05:55am	same	No Order for Demerol	Demerol 100mg	No	No
May 25, 2003	06:21 am	J12489498	No Order for Demerol	Demerol 50mg	No	No
June 21, 2003	0534	J12593034	No Order for Demerol	Demerol 75mg	No	No

June 20, 2003	11:36pm	J12576310	No Order for Demerol	Demerol 50mg	No	No
June 20, 2003	09:21pm	same	No Order for Morphine	Morphine 10mg	No	No
June 21, 2003	01:23am	same	No Order for Demerol	Demerol 50mg	No	No
June 21, 2003	07:30pm	same	No Order for Morphine	Morphine 10mg	No	No
June 23, 2003	01:07am	same	No Order for Demerol	Demerol 50mg	No	No
June 23, 2003	02:05am	same	No Order for Ambien	(2) Ambien 5mg	No	No
June 30, 2003	11:14pm	same	No Order for Morphine	Morphine 10mg	No	No
July 1, 2003	02:40am	same	No Order for Lortab	(2) Lortab 7.5mg	No	No
July 12, 2003	05:51am	J12658233	No Order for Demerol	Demerol 50mg	No	No
July 24, 2003	12:42am	J12703237	No Order for Lortab	(3) Lortab 7.5mg	No	No
July 24, 2003	05:27am	same	No Order for Demerol	Demerol 75mg	No	No

Respondent's conduct exposed the patients unnecessarily to a risk of harm from adverse reactions as a result of administering medications without a physician's order.

8. On or about May 2, 2003 through July 24, 2003, while employed with St. Joseph Regional Health Center, Bryan, Texas, Respondent withdrew medications from the Diebold Medication Dispensing System for patients, but failed to accurately and completely document the administration of the medications in the patients' Medication Administration Record (MAR) and/or Nurses Notes, as follows:

Date	Time	Patient	Physician's Order	Diebold Record	MAR	Nurses Notes
May 2, 2003	05:45am	J12393443	Demerol 25-50mg IV Q 2-3 hrs PRN	Demerol 50mg	No	No
May 16, 2003	09:38pm	J12457917	No Order for Demerol	Demerol 100mg	No	No
May 18, 2003	05:15am	J12461042	Demerol 50mg IM Q 3 hrs PRN severe pain	Demerol 100mg	No	No
May 18, 2003	0515am	same	same	Demerol 50mg	No	No
May 22, 2003	07:2pm1	J12484457	Lorazepam 1-4 mg PO Q1 hr PRN	(1) Ativan	2040	No
May 22, 2003	08:39pm	same	Restoril 15mg PO PRN	(2) Restoril	No	2100
May 22, 2003	11:17pm	same	Vicodin 1-2 PO Q 4 hrs PRN	(2) Lortab	No	2315
May 23, 2003	04:27am	same	No Order for Demerol	Demerol 50mg	No	No
May 23, 2003	07:30pm	same	Restoril 15mg PO PRN	(2) Restoril	2100	No
May 23, 2003	07:31pm	same	Lorazepam 1-4 mg PO Q1 hrPRN	(1) Ativan	2030	No
May 23, 2003	10:30pm	same	Vicodin 1-2 PO Q 4 hrs PRN	(2) Lortab	No	2230

May 24, 2003	07:15pm	same	Restoril 15mg PO PRN	(2) Restoril	No	No
May 24, 2003	09:04pm	same	Ambien 5mg PO Q hs PRN	(2) Ambien	No	No
May 24, 2003	09:44pm	same	Vicodin 1-2 PO Q 4 hrs PRN	(2) Lortab	No	No
May 24, 2003	11:04pm	same	Restoril 15mg PO PRN	(2) Restoril	No	No
May 24, 2003	12:36am	same	Vicodin 1-2 PO Q 4 hrs PRN	(2) Vicodin	No	No
May 25, 2003	02:33am	same	same	(1) Vicodin	No	No
May 25, 2003	05:55am	same	No Order for Demerol	Demerol 100mg	No	No
May 25, 2003	07:33pm	same	Vicodin 1-2 PO Q 4 hrs PRN	(1) Lortab	No	No
May 25, 2003	11:06pm	same	Vicodin 1-2 PO Q 4 hrs PRN	(2) Lortab	No	2310
May 26, 2003	02:25am	same	same	(1) Lortab	No	No
May 26, 2003	02:26am	same	Vicodin 1-2 PO Q 4 hrs PRN	(1) Vicodin	No	No
May 25, 2003	06:21am	J12489498	No Order for Demerol	Demerol 50mg	No	No
June 21, 2003	0534	J12593034	No Order for Demerol	Demerol 75mg	No	No
June 21, 2003	10:30pm	J12589859	Demerol 25-50mg IV Q 4 hrs PRN	Demerol 50mg	No	No
June 21, 2003	11:38pm	same	Morphine 2-6mg IV Q 1 hr. PRN	Morphine 10mg	No	No
June 22, 2003	11:17pm	same	Demerol 25-50mg IV Q 4 hrs PRN	Demerol 50mg	No	No
June 22, 2003	11:24pm	same	same	Demerol 50mg	No	No
June 22, 2003	11:22pm	same	same	Demerol 75mg	No	No
June 22, 2003	07:03am	same	same	Morphine 10mg	No	No
June 22, 2003	12:29pm	same	same	Morphine 10mg	No	No
June 22, 2003	07:34pm	same	same	Morphine 10mg	No	No
June 22, 2003	08:49pm	same	same	Morphine 10mg	No	No
June 22, 2003	10:00pm	same	same	Morphine 10mg	No	No
June 20, 2003	11:36pm	J12576310	No Order for Demerol	Demerol 50mg	No	No
June 20, 2003	09:21pm	same	No Order for Morphine	Morphine 10mg	No	No
June 21, 2003	01:23am	same	No Order for Demerol	Demerol 50mg	No	No
June 21, 2003	07:30pm	same	No Order for Morphine	Morphine 10mg	No	No
June 23, 2003	01:07am	same	No Order for Demerol	Demerol 50mg	No	No
June 23, 2003	02:05am	same	No Order for Ambien	(2) Ambien 5mg	No	No
June 30, 2003	11:14pm	same	No Order for Morphine	Morphine 10mg	No	No
July 1, 2003	02:40am	same	No Order for Lortab	(2) Lortab 7.5mg	No	No

July 12, 2003	05:51am	J12658233	No Order for Demerol	Demerol 50mg	No	No
July 23, 2003	07:14am	J12703237	Morphine 2-4mg IVP PRN Chest Pain	Morphine 10mg	No	No
July 23, 2003	09:01am	same	same	Morphine 10mg	No	No
July 23, 2003	07:13pm	same	Ambien 5mg PO Q hs PRN (may repeat if needed)	(2)Ambien 5mg	No	No
July 24, 2003	12:42am	same	No Order for Lortab	(3) Lortab 7.5mg	No	No
July 24, 2003	05:27am	same	No Order for Demerol	Demerol 75mg	No	No

Respondent's conduct above was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose and placed the hospital in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

9. On or about May 2003, through July 2003, while employed with St. Joseph Regional Health Center, Bryan, Texas, Respondent misappropriated medications, including Morphine, Lortab, Demerol and Ambien, or failed to take precautions to prevent the misappropriation of medications, belonging to the facility and/or the patients thereof. Respondent's conduct was likely to defraud the facility and the patients of the costs of the medications.
10. At the time of the incidents in Findings of Fact Numbers Eleven (11) through Fourteen (14), Respondent was employed as a Staff Nurse with College Station Medical Center, College Station, Texas, and had been in this position for five (5) months.
11. On or about January 11, 2007 through February 1, 2007, while employed with College Station Medical Center, College Station, Texas, Respondent withdrew Morphine, Hydrocodone, and Ambien from the Accudose Medication Dispensing System and administered the medications to patients in excess frequency and/or dosage of the physician's order, as follows:

Date/Time	Patient	Physician's Order	Accudose Record	MAR	Nurses Notes	Wastage
1/11/07 @2123	248968	Morphine 4-6mg IVP Q2hrs PRN pain	Morphine 10mg	2105- 6mg 2200 - 4mg	2100-4mg	None
1/11/07 @2251	same	same	Morphine 10mg	2300- 4mg 0010 - 6mg	2300-4mg 0010-6mg	None
1/12/07 @0117	same	same	Morphine 10mg	No	0200-6mg 0300-4mg	None
1/12/07 @0410	same	same	Morphine 10mg	No	0400-6mg 0600-4mg	None
1/12/07 @1929	same	same	Morphine 10mg	1930 - 6mg	1930-6mg	None

1/12/07 @2112	same	same	Morphine 10mg	2130	2050-4mg	None
1/13/07 @0241	same	same	Morphine 10mg	No	No	None
1/13/07 @0425	same	same	Morphine 10mg	No	0400-6mg 0530-4mg	None
1/15/07 @2000	131455	Morphine 2mg IV Q 1 hrs PRN severe pain	Morphine 4mg	No	2005-4mg	None
1/15/07 @2209	same	Morphine 2mg IV Q 1 hrs PRN severe pain	Morphine 4mg	2300	2200-4mg	None
1/15/07 @2346	same	same	Morphine 4mg	No	No	None
1/16/07 @0354	same	same	Morphine 4mg	No	No	None
1/16/07 @0613	same	same	Morphine 4mg	No	No	None
1/16/07 @1935	same	same	Morphine 4mg	1945	1950-4mg	None
1/16/07 @2225	same	same	Morphine 4mg	No	No	None
1/16/07 @2331	same	same	Morphine 4mg	No	No	None
1/16/07 @2331	same	Vicodin 1-2 tabs PO Q 6 hrs PRN	(2) Hydrocodone	No	No	None
1/17/07 @0117	same	same	(2) Hydrocodone	No	No	None
1/17/07 @0202	same	Morphine 2-4mg IV Q 3-4 hrs PRN	Morphine 4mg	0200	0250-4mg	None
1/17/07 @0421	same	same	Morphine 4mg	0400	No	None
1/15/07 @1912	248562	Morphine 2-8mg IV Q2 hrs PRN pain	Morphine 10mg	No	2000-8mg	None
1/15/07 @2056	same	same	Morphine 10mg	No	No	None
1/15/07 @2311	same	same	Morphine 10mg	2330-8mg	No	None
1/16/07 @0108	same	same	Morphine 10mg	0100-8mg	No	None
1/16/07 @0451	same	same	Morphine 10mg	No	No	None
1/16/07 @1912	same	same	Morphine 10mg	1945- 8mg	1930-8mg	None
1/16/07 @2041	same	same	Morphine 4mg	2110- 4mg	No	None
1/16/07 @2224	same	same	Morphine 10mg	No	No	None
1/16/07 @2338	same	same	Morphine 10mg	No	No	None
1/16/07 @2339	same	same	Morphine 4mg	No	No	None
1/16/07 @0201	same	same	Morphine 10mg	No	No	None
1/16/07 @0443	same	same	Morphine 10mg	0420- 8mg	No	None
1/16/07 @0554	same	same	Morphine 10mg	No	No	None

1/20/07 @2144	157634	Morphine 2-4mg IV Q 1-2 hrs	Morphine 10mg	2150 - 4mg 2300	2150 2300-4mg	None
1/20/07 @2256	same	Ambien 5mg PO Q HS PRN inability to sleep, may repeat X1 if needed	Ambien 10mg	2150 2400	2245	None
1/21/07 @0007	same	Morphine 2-4mg IV Q 1-2 hrs	Morphine 4mg	2400	No	None
1/21/07 @0156	same	same	Morphine 10mg	0210	0200-4mg 0250-4mg 0400-2mg	None
1/21/07 @1949	same	same	Morphine 10mg	No	2045-4mg 2115-4mg 2130-2mg	None
1/21/07 @2117	same	same	Morphine 10mg	No	No	None
1/21/07 @2309	same	Ambien 5mg PO Q HS PRN inability to sleep, may repeat X1 if needed	Ambien 10mg	No	2300	None
1/21/07 @2341	same	Morphine 2-4mg IV Q 1-2 hrs	Morphine 10mg	No	0130	None
1/22/07 @0308	same	same	Morphine 10mg	No	0300-4mg 0330-4mg	None
1/23/07 @2137	157352	Ambien 5mg PO HS PRN inability to sleep; may repeat X1	(2) Ambien 5mg	No	2200-no dose	None
1/23/07 @2136	249364	Ambien 5mg PO HS PRN inability to sleep, may repeat X1	(2) Ambien 5mg	No	2200	None
1/24/07 @1945	247990	Demerol 50mg IM Q 3hrs PRN severe pain	Demerol 50mg	1931- 25mg	1930 25mg	2033 25mg
1/24/07 @2148	same	same	Demerol 50mg	2145	2150	None
1/25/07 @0029	same	same	Demerol 50mg	0030-50mg	0030	None
1/30/07 @1906	212573	Morphine 2-4mg IV Q 4 hrs PRN sever pain	Morphine 4mg	1850-no dose	1845-4mg	None
1/30/07 @1953	same	same	Morphine 4mg	No	2020-4mg	None
1/30/07 @2035	same	Ambien 5mg PO HS PRN inability to sleep, may repeat X 1.	(2) Ambien 5mg	2130	2130	None
2/1/07 @ 2059	52158	Ambien 5mg PO Q HS PRN insomnia, may repeat X1 if needed	(2) Ambien 5mg	No	2100	None

2/1/07 @ 2309	same	Hydrocodone 1 PO Q 8 hrs PRN pain	(2) Hydrocodone	No	No	None
2/1/07 @ 2040	249848	Morphine 2-4mg IV Q 1-2 hrs PRN pain	Morphine 4mg	No	No	None
2/1/07 @ 2111	same	same	Morphine 4mg	2135 - 5mg 2130 4mg &	2135 5mg on CC flowsheet	None
2/1/07 @ 2111	same	Ambien 5mg PO HS, may repeat X1	(2) Ambien 5mg	No	No	None
2/1/07 @ 2143	same	Morphine 2-4mg IV Q 1-2hrs PRN pain	Morphine 10mg	2142 - 5mg	2142-5mg on CC flowsheet	None
2/1/07 @ 2145	same	same	Morphine 10mg	2149 - 5mg	No	None
2/1/07 @ 2155	same	same	Morphine 10mg	2158 - 5mg	No	2308- 10mg
2/1/07 @ 0131	same	same	Morphine 10mg	No	No	None
2/1/07 @ 0319	same	same	Morphine 10mg	0320 - 5mg	0315-5mg	None

Respondent's conduct exposed the patients unnecessarily to a risk of harm from adverse reactions as a result of administering medications in excess frequency and/or dosage of the physician's order.

12. On or about January 1, 2007 through February 1, 2007, while employed with College Station Medical Center, College Station, Texas, Respondent withdrew Hydrocodone, Demerol, Ambien, Phenergan, and Morphine from the Accudose Medication Dispensing System for patients but failed to follow the policy and procedure for the wastage. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
13. On or about January 1, 2007 through February 1, 2007, while employed with College Station Medical Center, College Station, Texas, Respondent withdrew medications from the Accudose Medication Dispensing System for patients but failed to accurately and completely document the administration of the medications in the patient's Medical Administration Record (MAR) and/or the Nurses Notes, as follows:

Date/Time	Patient	Physician's Order	Accudose Record	MAR	Nurses Notes	Wastage
1/3/07 @ 2046	141941	Hydromorphone 4mg PO PRN	Dilaudid 4mg	2100- 4mg	2200	None
1/12/07 @ 0117	248968	Morphine 4-6mg IVP Q2hrs PRN pain	Morphine 10mg	No	0200-6mg 0300-4mg	None
1/12/07 @ 0410	same	same	Morphine 10mg	No	0400-6mg 0600-4mg	None

1/13/07 @ 0241	same	same	Morphine 10mg	No	No	None
1/13/07 @ 0425	same	same	Morphine 10mg	No	0400-6mg 0530-4mg	None
1/15/07 @ 2000	131455	Morphine 2mg IV Q 1 hrs PRN severe pain	Morphine 4mg	No	2005-4mg	None
1/15/07 @ 2209	same	same	Morphine 4mg	2300	2200-4mg	None
1/15/07 @ 2346	same	same	Morphine 4mg	No	No	None
1/15/07 @ 2356	same	NO ORDER until 1/16/07 @ 0935 Darvocet N-100 1-2 tabs PO Q 4 hrs PRN pain	(2) - Darvocet	2350	No	None
1/16/07 @ 0354	same	Morphine 2mg IV Q 1 hrs PRN severe pain	Morphine 4mg	No	No	None
1/16/07 @ 0613	same	same	Morphine 4mg	No	No	None
1/16/07 @ 0613	same	NO ORDER until 1/16/07 @ 0935-Darvocet N-100 1-2 tabs PO Q 4 hrs PRN pain	(2) - Darvocet	No	No	None
1/16/07 @ 2225	same	Morphine 2-4mg IV Q 3-4 hrs PRN	Morphine 4mg	No	No	None
1/16/07 @ 2331	same	same	Morphine 4mg	No	No	None
1/16/07 @ 2331	same	Vicodin 1-2 tabs PO Q 6 hrs PRN	(2) Hydrocodone	No	No	None
1/17/07 @ 0117	same	same	(2) Hydrocodone	No	No	None
1/17/07 @ 0202	same	Morphine 2-4mg IV Q 3-4 hrs PRN	Morphine 4mg	0200	0250-4mg	None
1/17/07 @ 0421	same	same	Morphine 4mg	0400	No	None
1/15/07 @ 1912	248562	Morphine 2-8mg IV Q2 hrs PRN pain	Morphine 10mg	No	2000-8mg	None
1/15/07 @ 2056	same	same	Morphine 10mg	No	No	None
1/15/07 @ 2300	same	Ativan .5-2mg IV Q 2 hrs PRN agitation	Ativan 2mg	2300-no dose	No	None
1/15/07 @ 2311	same	Morphine 2-8mg IV Q2 hrs PRN pain	Morphine 10mg	2330-8mg	No	None
1/16/07 @ 0108	same	same	Morphine 10mg	0100-8mg	No	None
1/16/07 @ 0451	same	same	Morphine 10mg	No	No	None
1/16/07 @ 2041	same	Morphine 2-8mg IV Q2 hrs PRN pain	Morphine 4mg	2110- 4mg	No	None
1/16/07 @ 2140	same	Ativan .5-2mg IV Q 2hrs PRN agitation	Ativan 2mg	2140-no dose	No	None

1/16/07 @ 2224	same	Morphine 2-8mg IV Q2 hrs PRN pain	Morphine 10mg	No	No	None
1/16/07 @ 2338	same	same	Morphine 10mg	No	No	None
1/16/07 @ 2339	same	same	Morphine 4mg	No	No	None
1/16/07 @ 0201	same	same	Morphine 10mg	No	No	None
1/16/07 @ 0217	same	Ativan .5-2mg IV Q 2hrs PRN agitation	Ativan 2mg	No	0217-2mg	None
1/16/07 @ 0443	same	Morphine 2-8mg IV Q2 hrs PRN pain	Morphine 10mg	0420- 8mg	No	None
1/16/07 @ 0554	same	same	Morphine 10mg	No	No	None
1/21/07 @ 0007	157634	Morphine 2-4mg IV Q 1-2 hrs	Morphine 4mg	2400-no dose	No	None
1/21/07 @ 0624	same	NO ORDER for Hydrocodone	(2) Hydrocodone	No	No	None
1/21/07 @ 1949	same	Morphine 2-4mg IV Q 1-2 hrs	Morphine 10mg	No	2045-4mg 2115-4mg 2130-2mg	None
1/21/07 @ 2117	same	same	Morphine 10mg	No	No	None
1/21/07 @ 2309	same	Ambien 5mg PO Q HS PRN inability to sleep, may repeat X1 if needed	Ambien 10mg	No	2300	None
1/21/07 @ 2341	same	Morphine 2-4mg IV Q 1-2 hrs	Morphine 10mg	No	0130	None
1/22/07 @ 0308	same	same	Morphine 10mg	No	0300-4mg 0330-4mg	None
1/23/07 @ 1952	157352	Morphine 2-4mg IV Q 4hrs PRN severe pain	Morphine 4mg	No	2000-4mg	None
1/23/07 @ 2137	same	Ambien 5mg PO HS PRN inability to sleep; may repeat X1	(2) Ambien 5mg	No	2200-no dose	None
1/23/07 @ 2200	same	No Physician's Order for Vicodin	(2) Vicodin 5mg	No	2200- X2	None
1/23/07 @ 2349	same	Morphine 2-4mg IV Q 4hrs PRN severe pain	Morphine 4mg	No	0050-4mg	None
1/23/07 @ 0356	same	same	Morphine 4mg	No	0356-4mg	None
1/23/07 @ 1954	249364	Morphine 2-4mg IV Q 4 hrs PRN severe pain	Morphine 4mg	No	2000-4mg	None
1/23/07 @ 2136	same	Ambien 5mg PO HS PRN inability to sleep, may repeat X1	(2) Ambien 5mg	No	2200	None
1/23/07 @ 2139	same	NO ORDER for Hydrocodone	(2) Hydrocodone	No	2200 - (2)	None

1/23/07 @ 2350	same	Morphine 2-4mg IV Q 4 hrs PRN severe pain	Morphine 4mg	No	2400-4mg	None
1/24/07 @ 0357	same	same	Morphine 4mg	No	No	None
1/24/07 @ 2251	247990	Phenergan 6.25mg IV PRN for nausea/vomiting	Phenergan 25mg	No	No	None
1/25/07 @ 0322	same	Demerol 50mg IM Q 3hrs PRN severe pain	Demerol 50mg	No	No	None
1/25/07 @ 0619	same	same	Demerol 50mg	No	No	None
1/30/07 @ 1953	212573	Morphine 2-4mg IV Q 4 hrs PRN sever pain	Morphine 4mg	No	2020-4mg	None
2/1/07 @ 1927	52158	Hydrocodone 1 PO Q 8 hrs PRN pain	(1) Hydrocodone	No	1900-1tab	None
2/1/07 @ 2059	same	Ambien 5mg PO Q HS PRN insomnia, may repeat X1 if needed	(2) Ambien 5mg	No	2100	None
2/1/07 @ 2309	same	Hydrocodone 1 PO Q 8 hrs PRN pain	(2) Hydrocodone	No	No	None
2/1/07 @ 2040	249848	Morphine 2-4mg IV Q 1-2 hrs PRN pain	Morphine 4mg	No	No	None
2/1/07 @ 2111	same	same	Morphine 4mg	2135 - 5mg 2130 4mg & 2135 5mg on CC flowsheet	No	None
2/1/07 @ 2111	same	Ambien 5mg PO HS, may repeat X1	(2) Ambien 5mg	No	No	None
2/1/07 @ 2145	same	Morphine 2-4mg IV Q 1-2hrs PRN pain	Morphine 10mg	2149 - 5mg	No	None
2/1/07 @ 2155	same	same	Morphine 10mg	2158 - 5mg	No	2308-10mg
2/1/07 @ 0131	same	same	Morphine 10mg	No	No	None
2/1/07 @ 0327	same	Phenergan 12.5mg Q 4hrs PRN nausea	Phenergan 25mg	No	0400-12.5mg	None
2/1/07 @ 0520	same	Morphine 2-4mg IV Q 1-2hrs PRN pain	Morphine 4mg	No	No	None
2/1/07 @ 0613	same	Morphine 2-4mg IV Q 1-2hrs PRN pain	Morphine 4mg	No	No	None

Respondent's conduct above was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose and placed the hospital in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

14. On or about January 23, 2007, while employed with College Station Medical Center, College Station, Texas, Respondent withdrew medications from the Accudose Medication Dispensing System for patients without a valid physician's order, as follows:

Date/ Time	Patient	Physician's Order	Accudose Record	MAR	Nurses Notes	Wastage
1/15/07 @ 2356	131455	NO ORDER for Darvocet N-100	(2) Darvocet	2350	No	None
1/16/07 @ 0613	same	NO ORDER until 1/16/07 @ 0935-Darvocet N-100, 1-2 tabs PO Q 4 hrs PRN pain	(2) Darvocet	No	No	None
1/21/07 @ 0624	157634	NO ORDER for Hydrocodone	(2) Hydrocodone	No	No	None
1/23/07 @ 2200	157352	NO ORDER for Vicodin	(2) Vicodin 5mg	No	2200-X2	None
1/23/07 @ 2139	249364	NO ORDER for Hydrocodone	(2) Hydrocodone	No	2200 - 2 Vicodin	None

Respondent's conduct exposed the patients unnecessarily to a risk of harm from adverse reactions as a result of administering medications without a physician's order.

15. In response, Respondent states that she takes responsibility for not documenting accurately in the patients' record. She also accepts responsibility for accessing medications for patients in advance of the timed order due to the patients request and business of ICU, in trying to organize the medications so when the time was appropriate she would not have to make multiple trips to the Accudose, for example she would withdraw X2 Ambien and give 1 dose HS and then since the order read "may repeat X1 if needed she would then give the 2nd one in about an hour. She admits she gave a patient 1mg Morphine in excess of the order due to what she felt was an emergency and she reported it to the doctor. He agreed with it but he failed to write it as an order. She documented it as a change in medication on the MAR because she knew he had given the order. She admits to documentation errors and breeches of policy.
16. Charges were filed on July 8, 2009.
17. Charges were mailed to Respondent on July 9, 2009.

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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.12(1),(3),(4)&(19)(*effective Sept. 9, 1999 through Jan. 31, 2004*), 217.11(1)(A),(C),(D),&(4) and 217.12(1)(A),(B),(3)(4)(10)(B),(C),&(11)(B).
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 249270, heretofore issued to LUCINDA NELL WHITE, including revocation of Respondent's license 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 LIMITED LICENSE 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 multistate licensure privilege, if any, to practice nursing in compact states.

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 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 deliver the wallet-sized license issued to LUCINDA NELL WHITE, to the office of the Texas Board of Nursing within ten (10) days from date of ratification of this Order.

(2) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(3) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

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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 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 18 day of August, 2009.

Lucinda Nell White

LUCINDA NELL WHITE, Respondent

Sworn to and subscribed before me this 18th day of August, 2009.

Noemi Leal

Notary Public in and for the State of TX



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 18th day of August, 2009, by LUCINDA NELL WHITE, License Number 249270, and said Order is final.

Effective this 8th day of September, 2009.


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