



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 611175 | § | |
| issued to LORNA V. ENOY | § | ORDER |

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of LORNA V. ENOY, Registered Nurse License Number 611175, 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 June 7, 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 in Nursing Degree from Silliman University, Dumaquete City, Philippines, on April 2, 1989. Respondent was licensed to practice professional nursing in the State of Maryland on October 6, 1994, and was licensed to practice professional nursing in the State of Texas on November 21, 1994.
5. Respondent's nursing employment history includes:

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|-------------------|-----------------------------|---|
| 10/1994 - 11/1994 | Unknown | |
| 12/1994 - 02/2002 | Staff Nurse Charge Nurse | Baylor University Medical Center Dallas, Texas |

Respondent's nursing employment history continued:

| | | |
|-------------------|---------------------------------|---|
| 03/1996 - 2001 | Telemetry Nurse Charge Nurse | Mesquite Medical Center Mesquite, Texas |
| 01/1998 - Unknown | Staff Nurse Part-time | Medical City Dallas Hospital Dallas, Texas |
| 09/2001 - Unknown | Charge Nurse | Presbyterian Hospital Dallas Dallas, Texas |
| 09/2006 - 05/2007 | Charge Nurse Staff Nurse | Mesquite Speciality Hospital Mesquite, Texas |
| 06/2007 - Present | Unknown | |

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Charge Nurse with Mesquite Speciality Hospital, Mesquite, Texas, and had been in this position for six (6) months.
7. On or about March 7, 2007, through March 8, 2007, while employed as a Charge Nurse with Mesquite Speciality Hospital, Mesquite, Texas, Respondent inappropriately assigned a Licensed Vocational Nurse (LVN) to care for Patient Number 00066, whose condition was unstable, unpredictable, and deteriorating. A LVN had been the assigned nurse during the day shift; however, the patient's condition had worsened towards the end of the day shift, which had been reported to Respondent, yet she assigned a LVN to care for the patient. Respondent still failed to reassign the patient's care to a Registered Nurse (RN) later in the shift when patient's condition deteriorated further. The patient subsequently required transfer to the Intensive Care Unit where he was treated for respiratory failure. Respondent's conduct was likely to harm the patient in that care by a nurse without the education and training to perform comprehensive nursing assessments may have led to unrecognized progression of the disease process and delay of medical intervention.
8. On or about March 7, 2007, through March 8, 2007, while employed as a Charge Nurse with Mesquite Speciality Hospital, Mesquite, Texas, Respondent failed to timely assess and intervene, including notification of the physician, regarding the aforementioned Patient Number 00066. The patient's respirations became increasing shallow and irregular and he had increasingly abnormal, wet lung sounds. By midnight, the patient was diaphoretic and clammy, with very shallow respirations, an oxygen saturation level of 90%, and a very low heart rate. Although at times his oxygen saturation levels improved, overall his condition remained labile with compromised pulmonary function. Respondent did not notify the physician of the patient's condition until after the patient became unresponsive for two minutes at 0645 hours, at which time the Respiratory Therapist gave the patient a treatment and he became arousable. Additionally, Respondent failed to document in the medical record of the patient until 0645 hours, although she assisted the LVN in the care of the patient during the shift. Respondent's conduct resulted in an inaccurate medical record, and was likely to harm the patient from undetected and unreported progression of clinical complications.

9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that the patient's condition was stable and had not deteriorated during the shift, so she did not need to reassign the care of Patient Number 00066. Further, two physicians were aware of the patient's change of condition during the day shift, during which time the care of the patient was assigned to a LVN. According to Respondent, when they received the patient, he was stable but sometimes "got fidgety" and took off his supplemental oxygen, which may have triggered the heart rate to drop to below the fifties (50s). The patient was slightly sweaty, but not clammy, with stable blood sugar readings and vital signs. The patient's rhythm strips showed normal rhythms with slow heart rate "mostly" in the fifties (50s) to the sixties (60s), occasionally in the forties (40s) when he was off oxygen, but she asserts that he was not in any distress, and "never appeared any sicker at all." Respondent states that when the patient's condition suddenly changed at approximately 0645 hours, during shift change, she was the only nurse at the desk watching the monitors, and when she observed that the patient's heart rate had dropped to forty-seven (47) she rushed into the patient's room and found him unresponsive, diaphoretic, clammy, with oxygen saturation at 88%, while still wearing the oxygen mask. Respondent states that she summoned Respiratory Therapy, who immediately hyper-inflated the patient's lungs, and two (2) minutes later the patient regained responsiveness; after the patient's condition stabilized, Respondent returned to the Nurse's Station and notified the physician of the patient's status changes and that he was on the floor by the time Respondent had finished giving report to the oncoming shift. Respondent explains that for the entire twelve hour shift she was the Charge Nurse, Secretary, Monitor Tech, and had two patients of her own. Respondent states that she reminded the LVN to document in the patient's medical record, especially regarding the outcomes of interventions, and concludes that everyone is practicing under his/her license, which means that everyone is held accountable.

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 §§ 217.11(1)(A),(1)(B), (1)(D),(1)(M),(1)(S)&(3)(A) and 217.12(1)(A),(1)(B),(1)(D)&(4).
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 611175, heretofore issued to LORNA V. ENOY, 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 a WARNING 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 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 deliver the wallet-sized license issued to LORNA V. ENOY, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(2) 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. *Information regarding Board-approved courses in Texas Nursing Jurisprudence may be found at the Board's website Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. 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. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. 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>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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>.*

(5) 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://www.learningext.com/products/generalce/critical/ctabout.asp>.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge,

if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the

RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's licence 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 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 20th day of July, 2009.

Lorna V. Enoy
LORNA V. ENOY, Respondent

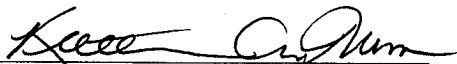
Sworn to and subscribed before me this 20th day of July, 2009.



Amanda Marie Masterson
Notary Public in and for the State of Texas.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of July, 2009, by LORNA V. ENOY, Registered Nurse License Number 611175, and said Order is final.

Effective this 18th day of August, 2009.


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