

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 620797 §
issued to ERIC ADDINGTON § ORDER



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

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that ERIC ADDINGTON, Registered Nurse License Number 620797, hereinafter referred to as Respondent, may have violated Section 301.452 (b)(13), Texas Occupations Code.

An informal conference was held on June 30, 2009, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was represented by C. Ashley Callahan, Attorney at Law and Tim Weitz, Attorney at Law. In attendance were Denise Benbow, CMSRN, MSN, RN, Nursing Consultant, Executive Director's Designee; Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Noemi Leal, Supervising Investigator.

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 notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from Methodist Hospital, Lubbock, Texas, on June 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas on July 21, 1995.

5. Respondent's nursing employment history includes:

09/95 - 10/97	Staff Nurse ICU	Methodist Hospital Lubbock, Texas
10/97 - 11/98	Staff Nurse/Tele	Highland Medical Center Lubbock, Texas
02/99 - 12/99	Staff Nurse/ICU Float Pool	St. Francis Medical Center Honolulu, Hawaii
03/99 - 08/99	Staff Nurse/IMCU	Seton Medical Center Austin, Texas
10/99 - 12/03	Staff Nurse/CCU	Methodist Medical Center Lubbock, Texas
01/04 - 04/04	Staff Nurse/SICU	Lubbock Heart Hospital Lubbock, Texas
04/04 - unknown	Agency Nurse	Interim Healthcare Lubbock, Texas
10/04 - 09/06	Agency Nurse	Cross Country Staffing Boca Raton, Florida
11/13/06 - 11/16/06	Staff Nurse Telemetry	Baptist Medical Center San Antonio, Texas
10/06 - 09/08	Not employed in nursing	
10/08 - Present	Staff Nurse ICU	Central Texas Medical Center San Marcos, Texas

6. At the time of the initial incident, Respondent was employed as an Agency Nurse with Cross Country Staffing, Boca Raton, Florida, and had been in this position for one (1) year and eleven (11) months.

7. On or about September 27, 2006, while employed with Cross Country Staffing, Boca Raton, Florida, and on assignment with Seton Medical Center, Austin, Texas, Respondent administered Haldol 5mg to Patient Medical Record Number 5060393 instead of Haldol 1mg as ordered by the physician. In addition, Respondent documented that he administered Haldon 1mg. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that the administration of Haldol in excess of the physician's order could result in the patient suffering from adverse reactions including hypotension, tachycardia, and seizures.

8. At the time of the incident in Finding of Fact Number Nine (9), Respondent was employed as a Staff Nurse in the Telemetry Unit with Baptist Medical Center, San Antonio, Texas, and had been in this position for three (3) days.
9. On or about November 16, 2006, while employed with Baptist Medical Center, San Antonio, Respondent administered Demerol to the Patient in Room 560A without a physician's order. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that the administration of Demerol without a physician's order could result in the patient suffering from adverse reactions including respiratory depression.
10. In response to the Finding of Fact Number Seven (7) Respondent states that he administered Haldol 5mg because he felt the patient needed it. As soon as he administered the dosage and realized it was a mistake he called the physician to report the incident. In response to Finding of Fact Number Nine (9) Respondent states that this was his first day working on the unit and he was assigned to the night shift. They had nine (9) patients on the unit and he was helping the LVN staff administer medications. He withdrew Demerol 40mg from the medication dispensing system and administered it to the wrong patient. He was working with a preceptor and she noted the error and reported it to the supervisor.

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)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(C),(D),&(P).
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 620797, heretofore issued to ERIC ADDINGTON, 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 sanctions of REMEDIAL EDUCATION AND A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act,

Revised Civil Statutes of Texas as amended, 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 ERIC ADDINGTON to the office of the Texas Board of Nursing within ten (10) days of 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. *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 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>

(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 pay a monetary fine in the amount of Five Hundred Dollars (\$500). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this

Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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

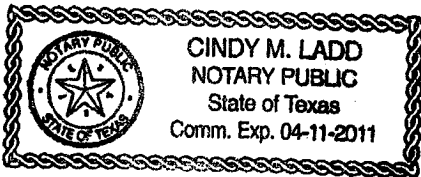
Signed this 3 day of August, 2009.

Eric Addington
ERIC ADDINGTON, RESPONDENT

Sworn to and subscribed before me this 3rd day of August, 2009.

SEAL

Cindy M. Ladd
Notary Public in and for the State of Texas

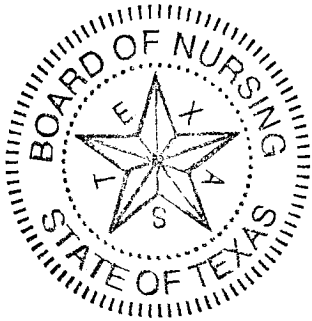


Approved as to form and substance.

C. Ashley Callahan
C. Ashley Callahan, Attorney for Respondent

Signed this 3 day of August, 2009.

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 3rd day of August, 2009, by ERIC ADDINGTON, Registered Nurse License Number 620797, and said Order is final.



Effective this 6th day of August, 2009.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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