

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 647748
ISSUED TO
RHONDA COLLEEN FRIERSON

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
BOARD OF NURSING



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

ORDER OF THE BOARD

TO: Rhonda Colleen Frierson
701 Katy Lane
Whitewright, Texas 75491

During open meeting held in Austin, Texas, on August 18, 2009, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 647749, previously issued to RHONDA COLLEEN FRIERSON, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.


IT IS FURTHER ORDERED that Permanent Certificate Number 647749, previously issued to RHONDA COLLEEN FRIERSON, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 18th day of August, 2009.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 647749
Issued to RHONDA COLLEEN FRIERSON
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of _____, 20____, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Rhonda Colleen Frierson
701 Katy Lane
Whitewright, Texas 75491

BY: 
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 647749, Issued to §
RHONDA COLLEEN FRIERSON, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, RHONDA COLLEEN FRIERSON, is a Registered Nurse holding license number 647749, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about August 13, 2007, while employed with Supplemental Health Care, Dallas, Texas, and on assignment with Methodist Health System, Dallas, Texas, Respondent lacked fitness to practice professional nursing in that while on duty Respondent exhibited behavior, including but not limited to, being disorganized, confused, poor time management, and lack of prioritization of emergency room patients. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(12), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4)&(5).

CHARGE II.

On or about August 13, 2007, while employed with Supplemental Health Care, Dallas, Texas, and on assignment with Methodist Health System, Dallas, Texas, Respondent failed to follow the policy and procedure for the wastage of Morphine in that Respondent requested that a staff member witness the wastage of a syringe that she had in her pocket. The syringe was unmarked and partially filled. Respondent told the staff member that the syringe contained Morphine which was to be given to a patient who was discharged prior to the administration of the medication. 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).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(C)&(11)(B).

CHARGE III.

On or about November 24, 2008 through January 18, 2009, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System (Omniceil) for patients without a physician's order, as follows:

Date	Patient	Physician's Order	Omniceil Record	ER Record
11/24/08	25007061	No Order for Hydromorphone	1:06pm- Hydromorphone 2mg	Not documented
12/20/08	25012694	No Order for Hydromorphone	1:58pm - Hydromorphone 2mg	Not documented
12/26/08	25013685	No Order for Hydromorphone	10:16pm-Hydromorphone 2mg	Not documented
12/26/08	25013703	No Order for Hydromorphone	8:53pm- Hydromorphone 2mg	Not documented
12/29/08	25011908	Not a patient in the ER	5:13pm- Hydromorphone 2mg	Not documented
12/30/08	25014504	No Order for Hydromorphone	8:47pm- Hydromorphone 2mg	Not documented
01/02/09	25015012	No Order for Hydromorphone	7:07pm- Hydromorphone 2mg	Not documented
01/02/09	25014930	No Order for Hydromorphone Morphine 4mg IV @ 1204	11:52am-Hydromorphone 2mg 1:21pm- Morphine Sulfate 4mg	Not documented 1330 Morphine 4mg
01/03/09	25015074	No Order for Hydromorphone	3:57pm- Hydromorphone 2mg	Not documented
01/04/09	25015209	No Order for Hydromorphone	4:13pm- Hydromorphone 2mg	Not documented
01/07/09	25015859	No Order for Hydromorphone@11:45 Dilaudid 1mg IV @ 1500 No Order for Hydromorphone @6:14	11:45am-Hydromorphone 2mg 3:06pm- Hydromorphone 2mg 6:14pm- Hydromorphone 2mg 6:14pm- Hydromorphone 2mg	1200 Dilaudid 1mg 1500 Dilaudid 1mg Not documented Not documented
01/08/09	25016134	No Order for Hydromorphone	11:32am-Hydromorphone 2mg	Not documented
01/09/09	25016375	No Order for Hydromorphone	2:13am- Hydromorphone 2mg	Not documented
01/12/09	25016864	No Order for Hydromorphone	11:14am-Hydromorphone 2mg	Not documented
01/12/09	25016878	No Order for Hydromorphone	2:09pm- Hydromorphone 2mg	Not documented
01/13/09	25017240	No Order for Hydromorphone	3:32pm- Hydromorphone 2mg	Not documented
01/13/09	25017311	No Order for Hydromorphone @ 7:32	7:32pm - Hydromorphone 2mg	1930 Dilaudid 1mg
01/17/09	25018157	No Order for Hydromorphone	3:35pm - Hydromorphone 2mg	Not documented
01/17/09	25018184	No Order for Hydromorphone	10:25pm-Hydromorphone 2mg	Not documented
01/18/09	25018237	No Order for Hydromorphone	5:01pm - Hydromorphone 2mg	Not documented

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

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A)(C)&(P) and 217.12(1)(A)&(4).

CHARGE IV.

On or about November 24, 2008 through January 18, 2009, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System (Omniceil) for patients but failed to document the administration of the medication in the Patients' Emergency Room (ER) Record, as follows:

Date	Patient	Physician's Order	Omniceil Record	ER Record
11/24/08	25007061	No Order for Hydromorphone	1:06pm- Hydromorphone 2mg	Not documented
12/20/08	25012694	No Order for Hydromorphone	1:58pm - Hydromorphone 2mg	Not documented
12/26/08	25013685	No Order for Hydromorphone	10:16pm-Hydromorphone 2mg	Not documented
12/26/08	25013703	No Order for Hydromorphone	8:53pm- Hydromorphone 2mg	Not documented
12/29/08	25011908	Not a patient in the ER	5:13pm- Hydromorphone 2mg	Not documented
12/30/08	25014504	No Order for Hydromorphone	8:47pm- Hydromorphone 2mg	Not documented
01/02/09	25015012	No Order for Hydromorphone	7:07pm- Hydromorphone 2mg	Not documented
01/02/09	25014930	No Order for Hydromorphone	11:52am-Hydromorphone 2mg	Not documented
01/03/09	25015074	No Order for Hydromorphone	3:57pm- Hydromorphone 2mg	Not documented
01/04/09	25015209	No Order for Hydromorphone	4:13pm- Hydromorphone 2mg	Not documented
01/07/09	25015859	No Order for Hydromorphone@6:14	6:14pm- Hydromorphone 2mg 6:14pm- Hydromorphone 2mg	Not documented Not documented
01/08/09	25016134	No Order for Hydromorphone	11:32am-Hydromorphone 2mg	Not documented
01/09/09	25016375	No Order for Hydromorphone	2:13am- Hydromorphone 2mg	Not documented
01/12/09	25016864	No Order for Hydromorphone	11:14am-Hydromorphone 2mg	Not documented
01/12/09	25016878	No Order for Hydromorphone	2:09pm- Hydromorphone 2mg	Not documented
01/13/09	25017240	No Order for Hydromorphone	3:32pm- Hydromorphone 2mg	Not documented
01/17/09	25018157	No Order for Hydromorphone	3:35pm - Hydromorphone 2mg	Not documented
01/17/09	25018184	No Order for Hydromorphone	10:25pm-Hydromorphone 2mg	Not documented
01/18/09	25018237	No Order for Hydromorphone	5:01pm - Hydromorphone 2mg	Not documented

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 over medication.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A)&(D) and 217.12(1)(A),(C)&(4).

CHARGE V.

On or about November 24, 2008 through January 20, 2009, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent misappropriated Hydromorphone belonging to the facility and the patients thereof. Respondent admitted to diverting the medication for her own use. Respondent conduct was likely to defraud the facility and patients of the cost of the medication and possession of Hydromorphone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(G),(8),&(11)(B).

CHARGE VI.

On or about November 24, 2008 through January 20, 2009, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent engaged in the intemperate use of Hydromorphone, in that Respondent admitted to diverting the medication for her own use. Possession of Hydromorphone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Hydromorphone by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5),(10)(A),(D),&(11)(B).

CHARGE VII.

On or about January 20, 2009, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent engaged in the intemperate use of Cocaine in that Respondent submitted a specimen for a drug screen which resulted positive for Cocaine. Possession of Cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5),(10)(A),(D),&(11)(B).

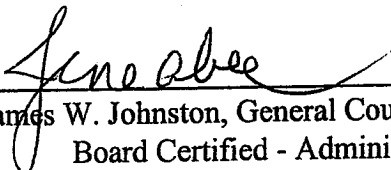
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, Lying and Falsification Fraud, and Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

Filed this 20th day of April, 2009.

TEXAS BOARD OF NURSING


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