



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

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In the Matter of Registered Nurse License Number 695091 § AGREED  
and Vocational Nurse License Number 141853 §  
issued to DORIS PATTERSON RODRIGUEZ § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bc considered the matter of DORIS PATTERSON RODRIGUEZ, Registered Nurse License Number 695091 and Vocational Nurse License Number 141853, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 6, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

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 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. Respondent's license to practice vocational nursing in the State of Texas is currently in inactive status.
4. Respondent received a Certificate in Vocational Nursing from Craven College, New Bern, North Carolina on August 28, 1991. Respondent was licensed to practice vocational nursing in the State of Texas on May 25, 1993. Respondent received an Associate Degree in Nursing from St. Phillip's College, San Antonio, Texas on December 1, 2000. Respondent was licensed to practice professional nursing in the State of Texas on April 8, 2003.

5. Respondent's professional and vocational nursing employment history includes:

02/1993 - 05/2002	LVN	Nix Healthcare System San Antonio, Texas
01/1995 - 06/1997	LVN	UTHSC San Antonio, Texas
11/2001 - 10/2002	LVN	OMV Medical Inc. San Antonio, Texas
03/2002 - 04/2004	LVN/RN	Nurse Finders San Antonio, Texas
04/2004 - 08/2008	RN	Baptist Health System San Antonio, Texas
09/2008 - 10/2008	RN	Christus Santa Rosa San Antonio, Texas
11/2008 - Present	RN	Healthright-Wellmed Medical Management, Inc. San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Northeast Baptist Hospital, San Antonio, Texas, and had been in this position for four (4) years and three (3) months.

7. On or about July 25, 2008 through August 1, 2008, while employed as a Registered Nurse with Northeast Baptist Hospital, San Antonio, Texas, Respondent withdrew Morphine Sulfate from the Medication Dispensing System for patients in excess dosage of the physicians' orders. Respondent's conduct was likely to injure the patient in that the administration of Morphine Sulfate in excess dosage of the physician's order could result in the patient suffering from adverse reactions.

8. In Response to Finding of Fact Number Seven (7), Respondent states: "I did withdraw Morphine from the Medication Dispensing System. Originally, an order for Morphine was written by a physician for the Recovery Room/PACU. Because the Morphine was intended for the inpatient area, I was forced to call the physician for new orders that applied to the outpatient area. The physician gave me a verbal order over the telephone and I placed the order on the chart in accordance with the policies and procedures of the facility. I then administered the Morphine and monitored the patient. I was taught (in the PACU prior to working in outpatient) to withdraw Morphine in 10mg multi-dose vials and administer as

ordered in small incremental doses that met patient comfort and safety. This was based on a practicality as well as having a PCA key attached to our badge. My mistake was following this method of narcotic retrieval(withdrawing the larger Morphine dose rather than the smaller).”

9. On or about July 25, 2008 through August 1, 2008, while employed as a Registered Nurse with, Northeast Baptist Hospital, San Antonio, Texas, Respondent withdrew Morphine Sulfate from the Medication Dispensing System for patients, but failed to document, or accurately document the administration of the medications in the patients’ Medication Administration Records (MAR) and/or nurse’s notes. Respondent’s conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.
10. In Response to Finding of Fact Number Nine (9), Respondent states: “I did withdraw Morphine, administer it and waste it in its entirety at Northeast Baptist Hospital. I did not document immediately at the time the Morphine had been wasted on a MAR, because there was no MAR or Kardex for outpatient area charting. I had clearly been instructed to chart and document at the end of my shift in this out patient area, and did so on a daily basis. The rationale for documenting at the end of the shift was to prevent patients and family from feeling as if they had been neglected and to increase patient satisfaction. However, in this instance, documenting at the end of the shift led to the accidental omission in my charting which was an oversight.”
11. On or about July 25, 2008 through August 1, 2008, while employed as a Registered Nurse with Northeast Baptist Hospital, San Antonio, Texas, Respondent withdrew Morphine Sulfate from the Medication Dispensing System for patients, but failed to follow the facility’s policy and procedures for wastage of any of the unused portions of the medications. 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).
12. In Response to Finding of Fact Number Eleven (11), Respondent states: “two nurses witnessed me wasting the Morphine-V. W., RN and D. L., RN. V.W. witnessed me waste in the sink and D.L. witness me waste in the Accudose machine. A problem arose at the end of the day when we attempted to document the wasting. (We were told to waste at the end of the day when we were documenting, although I know this is not hospital policy). Walsh had already left for the day. Therefore, D.L. logged on as first witness. I mistakenly was under the impression that it did not matter what order we logged on and witness as long as there were two witnesses. Unfortunately, when administration tried to verify that I had properly wasted, it did not show up because I was the second witness. It was verified by administration that the amount withdrawn and wasted under D.L. name reflected my wasting.”

### 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, 22 TEX. ADMIN. CODE §217.11(1)(A),(C)&(D), and 22 TEX. ADMIN. CODE §217.12(4),(10)(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 695091 and Vocational Nurse License Number 141853, heretofore issued to DORIS PATTERSON RODRIGUEZ, including revocation of Respondent's licenses to practice professional and vocational 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 REMEDIAL EDUCATION WITH A FINE, 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 professional and vocational nursing in the State of Texas.

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 licenses issued to DORIS PATTERSON RODRIGUEZ to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(2) RESPONDENT SHALL pay a monetary fine in the amount of five hundred (\$500.00) dollars. 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.

(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, 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, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional and vocational nursing in the State of Texas.

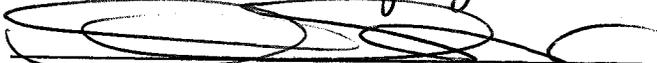
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RESPONDENT'S CERTIFICATION

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

Signed this 14 day of July, 2009.



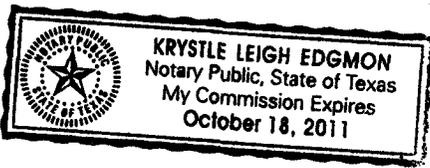
DORIS PATTERSON RODRIGUEZ, Respondent

Sworn to and subscribed before me this 14<sup>th</sup> day of July, 2009.

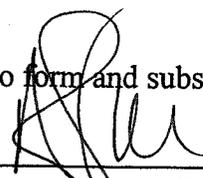
SEAL

Krystle Edgmon

Notary Public in and for the State of Texas



Approved as to form and substance.



Adrian Senyszyn, Attorney for Respondent

Signed this 14<sup>th</sup> day of July, 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 14th day of July, 2009, by DORIS PATTERSON RODRIGUEZ, Registered Nurse License Number 695091 and Vocational Nurse License Number 141853, and said Order is final.



Effective this 20th day of July, 2009.

*Katherine A. Thomas*

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