



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 703472 §
and Vocational Nurse §
License Number 161027 §
issued to Victoria Julia Bennett § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of VICTORIA JULIA BENNETT, Registered Nurse License Number 703472 and Vocational Nurse License Number 161027, 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 March 16, 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 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. Respondent's license to practice vocational nursing in the State of Texas is currently in "delinquent" status.
4. Respondent received a Certificate in Vocational Nursing from St. Joseph's Hospital School of Practical Nursing, Lorain, Ohio, on September 1, 1977, and received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas on December 19, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on January 8, 1997, and was licensed to practice professional nursing in the State of Texas on February 26, 2004.

5. Respondent's nursing employment history includes:

1977-1989	LVN St. Joseph's Hospital Lorain, Ohio
1990-1994	Unknown
1995-1996	LVN The Campus at Westerville Westerville, Ohio
1996-1998	LVN Charley's Place Westerville, Ohio
1999-2001	LVN Spohn South Geriatric Psych. Unit Corpus Christi, Texas
2002-7/2004	Unknown
8/2004-9/2004	RN Alliance Florida
10/2004	Unknown
11/2004-1/2005	RN Ridgecrest Florida
1/2005-4/2005	RN Orange City Florida
5/2005-7/2006	RN University Center East Florida
7/2006-1/2009	RN Golden Palms Retirement and Health Harlingen, Texas
2/2009-Present	Unknown

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Golden Palms Retirement and Health, Harlingen, Texas, and had been in this position for two (2) years and five (5) months.
7. On or about December 17, 2008, while employed with Golden Palms Retirement and Health, Harlingen, Texas, Respondent administered Lasix 40mg in error to a patient for whom the medication was not ordered. Respondent's conduct was likely to injure the patient from adverse reactions due to medications administered without the benefit of a physician's care.
8. On or about December 25, 2008, through December 27, 2008, while employed with Golden Palms Retirement and Health, Harlingen, Texas, Respondent administered Vicodin to a patient for whom it had not been dispensed by "borrowing" from one patient to give to another. Respondent's conduct was a violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
9. The Board finds that Respondent self reported the incidents in Findings of Fact Numbers Seven (7) and Eight (8). Regarding the Lasix, Respondent states that there had been three (3) admissions in less than two hours and that she inadvertently made a medication error. When the error was discovered, she called the physician and tried to get an order. Unfortunately, the patient was given three doses of the medication before the error was caught. The patient received no ill effects. Respondent also made an incident report stating what had occurred, and regarding the borrowing of drugs from one patient to give to another patient, Respondent states that the facility had recently been taken over by a new owner and was contracting with a lower cost pharmacy in Houston. As a result, Respondent indicates that medications sometimes took many hours to be delivered and states that, although they did have a backup pharmacy, it took no orders after 11:00 pm. Two of the new admissions denied pain at the time of admission, but much later asked for pain medication and she had not received their medications. She states she was taught in nursing school her first responsibility is to her patient. She says she also knows that according to the Nurse Practice Act, she is not supposed to administer drugs from one patient to another patient.

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)(C) and 217.12(1)(B)&(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 703472 and Vocational Nurse License Number 161027, heretofore issued to VICTORIA JULIA BENNETT, including revocation of Respondent's licenses 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 REMEDIAL EDUCATION, 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 the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are 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 VICTORIA JULIA BENNETT 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) contact 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 the course "Regulatory Requirements for Drug Therapy in The Nursing Facility," a 6.25 contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website:*
<http://www.dads.state.tx.us/providers/training/jointtraining.cfm> or by contacting (512) 438-2201.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's licenses and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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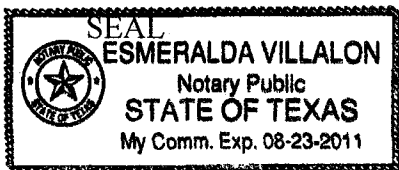
RESPONDENT'S CERTIFICATION

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

Signed this 11 day of April, 2009.

Victoria J. Bennett
VICTORIA JULIA BENNETT, Respondent

Sworn to and subscribed before me this 11 day of April, 2009




Esmeralda Villalon
Notary Public in and for the State of 8/23/2011

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 11th day of April, 2009, by VICTORIA JULIA BENNETT, Registered Nurse License Number 703472 and Vocational Nurse License Number 161027, and said Order is final.



Effective this 24th day of April, 2009.


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