

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 140080
ISSUED TO
BEVERLY JEANNE GREEN

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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 A. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Beverly Jeanne Green
1415 Valley Drive
Longview, Texas 75601

During open meeting held in Austin, Texas, on February 10, 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 vocational 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 140080, previously issued to Beverly Jeanne Green, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 10th day of February, 2009.



TEXAS BOARD OF NURSING



BY:

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

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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 140080, Issued to §
BEVERLY JEANNE GREEN, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, BEVERLY JEANNE GREEN, is a Vocational Nurse holding license number 140080, which is in delinquent 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 July 26, 2008, while employed with Texan Nursing and Rehab of Gladewater, Gladewater, Texas, Respondent failed to notify the physician of a change in condition when Resident R.G. complained of anxiety, restlessness, and pain throughout the night. Respondent's conduct was likely to injure the resident from an untreated progressing clinical change of condition, including possible demise.

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)(B),(1)(D),(1)(M)&(2)(A) and 217.12(1)(B)&(4).

CHARGE II.

On or about July 26, 2008, while employed with Texan Nursing and Rehab of Gladewater, Gladewater, Texas, Respondent falsely documented a physician's order in the medical record of Resident R.G. to administer Nitroglycerine 0.4 sublingual every 5 minutes times 3 to the patient. Respondent admitted later in a written note to the facility that she had not contacted the physician for the order because he was out of town. Respondent's conduct resulted in an inaccurate medical record, and was likely to injure the resident from adverse outcomes due to medication administered without the benefit of a physician's expertise and in that subsequent staff would not have accurate information to base their treatment on.

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)(B),(1)(D)&(2)(A) and 217.12(1)(B),(1)(C),(6)(A)&(6)(H)

CHARGE III.

On or about July 26, 2008, while employed with Texan Nursing and Rehab of Gladewater, Gladewater, Texas, Respondent administered three (3) doses of Nitroglycerin to Resident R.G. without a valid physician's order at the time, as required, after the resident complained of anxiety, restlessness, and pain which continued on over a three (3) hour period. Five (5) hours after Respondent administered the last dose of Nitroglycerine, the resident was found unresponsive and was pronounced deceased after an unsuccessful attempt to resuscitate. Respondent's conduct may have contributed to the resident's demise.

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)(B),(1)(C),(1)(M)&(2)(A) and 217.12(1)(B)&(4).

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. 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).

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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 Policy for Lying and Falsification, which can be found at the Board's website, www.bon.state.tx.us.

Filed this 4th day of December, 2008.

TEXAS BOARD OF NURSING



John F. Legris
James W. Johnston, General Counsel

Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

John F. Legris, Assistant General Counsel

State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701

P: (512) 305-6824

F: (512) 305-8101 or (512)305-7401

Re: Permanent Certificate Number 140080
Issued to Beverly Jeanne Green
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of March, 2009, a true and correct copy of the foregoing Revocation was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Beverly Jeanne Green
1415 Valley Drive
Longview, Texas 75601



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