



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 72649 § AGREED ORDER
issued to THERESA C. HARRIS §

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 72649, issued to THERESA C. HARRIS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Lubbock School of Vocational Nursing, Lubbock, Texas on January 23, 1977. Respondent was licensed to practice vocational nursing in the State of Texas on May 19, 1977.
5. Respondent's vocational nursing employment history includes:

01/77 - 03/85	Staff Nurse/GN/LVN	Crosbyton Clinic Hospital
		Crosbyton, Texas

Respondent vocational nursing employment history continued:

04/85 - 03/87	Office Nurse/LVN	The Woman's Clinic Lubbock, Texas
03/87 - 03/95	Office Nurse/LVN	Office of Dr. Thomas Plano, Texas
11/95 - 12/96	Office Nurse/LVN	North Texas OB-GYN Plano, Texas
06/97 - 10/05	Not employed in nursing	
11/05 - 04/06	Staff Nurse/LVN	Covenant Health System Lubbock, Texas
07/06 - 09/06	Staff Nurse/LVN	Highland Community Hospital Lubbock, Texas
01/07 - 05/07	Charge Nurse	Baybrook Village McKinney, Texas
05/07 - 09/07	Charge Nurse	Homestead of McKinney McKinney, Texas
09/07 - 01/08	Charge Nurse	McKinney Healthcare McKinney, Texas
02/08 - 05/08	Agency Nurse/LVN	Preferred Medical Staffing, Inc. Mesquite, Texas
06/08 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse/LVN with Covenant Health System, Lubbock, Texas, and worked in this position for four (4) months.
7. On or about January 4, 2006, through April 2006, while employed with Covenant Health System, Lubbock, Texas, Respondent practiced vocational nursing without a valid license. On December 8, 2005 Respondent was issued a six (6) month limited permit to use only for completing a refresher course or an extensive orientation. Respondent utilized the permit to secure employment and practice as a licensed vocational nurse from January 4, 2006, through April 2006. Respondent's conduct was likely to deceive her employer and could have affected their decision to continue her employment.

8. On or about April 4-5, 2006, while employed with Covenant Health System, Lubbock, Texas, Respondent administered seven (7) doses of Morphine 4mg at 2148, 2257, 0010, 0144, 0302, 0518, and 0630 to Patient Medical Record Number 5210226037. The Patient had been held in the recovery unit for an extended period due to developing severe hypotension and being hard to arouse after she received one (1) dose of Morphine 3mg. On April 5, 2006, the patient was scheduled for dialysis in the morning and was found to be suffering from severe hypotension which required the administration of Dopamine to increase her blood pressure. Respondent's conduct was likely to expose the patient unnecessarily to a risk of harm from adverse reactions to the Morphine including respiratory depression and circulatory depression.
9. On or about April 4-5, 2006, while employed with Covenant Health System, Lubbock, Texas, Respondent failed to report to the physician the status of Patient Medical Record Number 5210226037, including the administration of seven (7) doses of Morphine during her shift. The patient had previously suffered from hypotension and difficulty arousing after receiving Morphine 3mg after her surgery. Respondent's conduct was likely to deceive other caregivers who needed complete information on which to base their care.
10. On or about April 2006, while employed with Covenant Health System, Lubbock, Texas, Respondent engaged in the intemperate use of Benzodiazepines and Opiates in that Respondent submitted a specimen for a drug screen which resulted positive for Benzodiazepines (Lorazepam) and Opiates (Morphine, Hydrocodone, and Hydromorphone) and Respondent admitted to taking Ativan from her daughter's prescription. Possession of Benzodiazepines and Opiates is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Benzodiazepines and Opiates by a vocational 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.
11. On or about September 12, 2006, while employed with Highland Community Hospital, Lubbock, Texas, Respondent engaged in the intemperate use of Propoxyphene, Meperidine, Norpropoxyphene, and Normeperidine, in that Respondent submitted a specimen for a drug screen which resulted positive for Propoxyphene, Meperidine, Norpropoxyphene, and Normeperidine. Possession of Propoxyphene, Meperidine, Norpropoxyphene, and Normeperidine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Propoxyphene, Meperidine, Norpropoxyphene, and Normeperidine by a vocational 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.

12. On or about September 12, 2006, while employed with Highland Community Hospital, Lubbock, Texas, Respondent misappropriated Demerol and Propoxyphene belonging to the facility and the patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.
13. On or about September 12, 2006, while employed with Highland Community Hospital, Lubbock, Texas, Respondent lacked fitness to practice in that while on duty Respondent exhibited behavior which included signs of paranoia, anxiety, nervousness, and having trouble giving the nurses information regarding her administration of medications. 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.
14. On or about September 12, 2006, while employed with Highland Community Hospital, Lubbock, Texas, Respondent signed out Demerol 25mg on the Controlled Substance Administration Record for Patient VN which was in excess frequency of the physician's order and she failed to accurately document the administration of the medication in the patient's medical record, as follows:

Date/Time	Patient	Physician's Order	Controlled Substance Record	MAR	Nurses Notes
9/12/06 @ 2115	VN	Demerol 25mg IM Q 2-4 hrs PRN pain	Demerol 25mg	2115	2215
9/12/06@ 2350	same	same	Demerol 25mg	2350	2350
9/12/06@ 0130	same	same	Demerol 25mg	0130	0130 excess frequency
9/12/06@ 0300	same	same	Demerol 25mg no 0600 sign-out	0300 0600	0300 excess frequency 0605

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 an overdose and administration of Demerol in excess frequency of the physician's order could result in the patient suffering from adverse reactions.

15. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.
16. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
17. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 Sections 301.258, 301.251, and 301.452(b)(1),(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A)(C)(D) and 217.12(5),(6)(G), &(10)(A)(D).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 72649, heretofore issued to THERESA C. HARRIS, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 72649, heretofore issued to THERESA C. HARRIS, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to THERESA C. HARRIS, to the office of the Texas Board of Nursing.

2. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

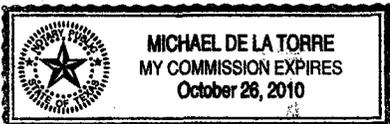
Signed this 2nd day of February, 2009.

Theresa C. Harris

THERESA C. HARRIS, Respondent

Sworn to and subscribed before me this 2nd day of February, 2009.

SEAL



Michael De La Torre

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 72649, previously issued to THERESA C. HARRIS.



Effective this 6th day of February, 2009.



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