BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of License Number 170111	§	AGREED
issued to MARGOLETTA LASHAWN ARLEDGE	§	ORDER

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.
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the E considered the matter of MARGOLETTA LASHAWN ARLEDGE, Vocational Nurse Li Number 170111, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(8), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on December 3, 2008, 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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Nursing from Northeast Vo-Tech, Pryor, Oklahoma, on July 18, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on October 28, 1998.

5. Respondent's vocational nursing employment history is unknown.

6. On or about May 28, 2008, Respondent's license to practice vocational nursing in the State of Oklahoma was issued a Stipulation, Settlement and Order by the Oklahoma Board of Nursing, Oklahoma City, Oklahoma. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated May 28, 2008, is attached and incorporated by reference as part of this Order .

7. In response to Finding of Fact Number Six (6), Respondent states that due to an incident at the VA Hospital Respondent was working at, she was reported to the Board. She was given disciplinary action and fined. She attended all the classes and turned in the papers, but the fine of $500 was not turned in on time and her license was suspended. She has paid the fine and is waiting for the licenses to be reinstated in Oklahoma.

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)(8), Texas Occupations Code.

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 170111, heretofore issued to MARGOLETTA LASHAWN ARLEDGE, including revocation of Respondent's license to practice 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, 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 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 license issued to MARGOLETTA LASHAWN ARLEDGE to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(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.*

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

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CONTINUED ON NEXT PAGE.

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 violation 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 license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 29 day of January, 2009.

Margoletta L. Arledge

MARGOLETTA LASHAWN ARLEDGE, Respondent

Sworn to and subscribed before me this 29th day of JANUARY, 2009.

SEAL

Notary Public in and for the State of TEXAS

MICHAEL KNIGHT
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 09-30-09

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 29th day of January, 2009, by MARGOLETTA LASHAWN ARLEDGE, Vocational Nurse License Number 170111, and said Order is final.

Effective this 3rd day of February, 2009.

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

BEFORE THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF MARGOLETTA LASHAWN KNOX ARLEDGE, L.P.N.
LICENSE NO. L0041650

STIPULATION, SETTLEMENT AND ORDER

This matter comes on before the Informal Disposition Panel ("Panel") of the Oklahoma Board of Nursing ("Board") on the 13th day of May, 2008, in the Conference Room of the Board Office, 2915 North Classen Boulevard, Suite 524, Oklahoma City, Oklahoma.

Erica McArthur, R.N., a Nurse Investigator with the Board, appears in person, and Margoletta Lashawn Knox Arledge, L.P.N. (hereinafter, "Respondent") appears in person without counsel before the Panel on this date. Respondent and the Nurse Investigator participated in an investigative conference on December 12, 2007, and both subsequently consented to this Order.

STIPULATION

Respondent and the Panel hereby stipulate and agree to the following joint stipulation and proposed Order of the Board incorporating this stipulation and agreement in the above-styled matter.

1. Respondent is licensed to practice licensed practical nursing in the State of Oklahoma and is the holder of License No. L0041650 issued by the Oklahoma Board of Nursing.

2. Respondent admitted during the Investigative Conference held on December 12, 2007, that she had been arrested. On May 16, 1995, In a Booking and Arrest data sheet filed in the District Court of Tulsa County, Oklahoma, in case No. CF 1995-2206, Respondent was arrested. On or About May 10, 1995, Information was filed by the District Attorney, charging Respondent with Assault and Battery with a Dangerous Weapon. On or About September 12, 1995. Case was

dismissed for Failure of Prosecution witness to appear.

3. On or About June 17, 1997, Respondent submitted her Practical Nurse Application for Certificate by Examination, where Respondent answered answered "No" to question No. 1, Have you every been arrested for any offence or convicted of any offense including a deferred sentence with in th past five years with the exception of any offense expunged under 63 O.S. 1981-410?

4. On or about June 8 and 9, 2007, Respondent, while employed as charge nurse, with Ambassador Manor, in Tulsa, Oklahoma, failed to accurately document the date when Resident W.L. was found on the floor by house keeping. Respondent documented the date of the incident as having occurred on May 8, 2007, when it actually occurred on June 8, 2007. Respondent further failed to appropriately document the interventions taken by her after Resident W.L. fell. Respondent documented: "x-ray was called for skull view per orders" when Respondent had not called x-ray nor obtained physician Orders, in violation of the policy and procedure of Ambassador Manor.

5. No formal complaint has been filed as of the date of this stipulation charging Respondent with a violation of the Oklahoma Nursing Practice Act. Respondent understands that Respondent has a right to require that a formal complaint be filed and the right to a formal hearing before the Board at which time Respondent could confront the witnesses against Respondent, cross-examine those witnesses, and present evidence in Respondent's own behalf. Respondent understands that by signing and agreeing to this stipulation Respondent is waiving those rights.

6. This stipulation is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of this stipulation. Furthermore, should this joint stipulation not be accepted by the Board, it is agreed that presentation to and consideration of this stipulation and other

documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

7. Respondent fully understands that this joint stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board against Respondent for acts or omissions not specifically made a part of this stipulation.

8. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this joint stipulation of facts, conclusions of law and imposition of discipline, and the Final Order of the Board incorporating said stipulation.

9. It is expressly understood that this stipulation is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

10. This Stipulation, Settlement, and Order does constitute formal disciplinary action.

STIPULATED DISPOSITION AND ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that Respondent's license to practice licensed practical nursing in the State of Oklahoma remain in effect, and that Respondent is disciplined as follows:

1. Respondent shall, within **ninety (90) days** from the receipt of this Order, successfully complete a course on **Nursing Jurisprudence**. Respondent shall obtain Board approval of the course prior to enrollment. Home study courses, Internet and video programs will not be approved. In order for the course to be approved, the target audience must include licensed nurses. It must be a minimum of four (4) contact hours in length. The course must include an examination of the scope of nursing practice from the Oklahoma Nursing Practice Act and Rules of the Board; other laws; policies; and accreditation guidelines that govern the practice of nursing; the role of

delegation and supervision; and an exploration of the ethical basis of nursing practice. Courses focusing on malpractice issues will not be accepted. The course description must 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 cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

2. Respondent shall, within **ninety (90) days** from receipt of this Order, successfully complete a course on **Nursing Documentation, to include Physician Orders.** Respondent shall obtain Board approval of the course prior to enrollment. Courses that exclusively include home study courses, video programs, or Internet courses will not be approved. The target audience must include licensed nurses. The course must be a minimum of eight (8) hours in length. The course must contain content on the following: guidelines and processes for objective reporting and recording; legal guidelines for recording; methods of recording; methods of alternative record-keeping; computerized charting/documentation; and case studies with practical demonstration of documentation to be reviewed by a registered nurse for appropriateness. The course description must 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 cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

2. Within **thirty (30) days** from receipt of this Order, Respondent shall pay an **administrative penalty** payable to the Oklahoma Board of Nursing in the amount of **$500.00.** The administrative penalty shall be paid only by certified check, money order or cash.

IT IS FURTHER ORDERED that the license to practice licensed practical nursing held by Respondent is hereby **severely reprimanded.**

IT IS FURTHER ORDERED that any failure to comply with submission of the administrative penalty or written documentation by the due date, including but not limited to

educational courses, will result in a three (3) month suspension of license. At the completion of the three month suspension, any application for reinstatement may be submitted for processing by Board Staff for approval in accordance to the agency approval process or for referral to the Board. The terms of the previous Order will be extended for three (3) months, as applicable. Administrative penalties for any such failure to comply shall be assessed and paid prior to reinstatement by certified check, money order, or cash pursuant to statute, 59 O.S. §§ 567.8.J.1. and 2, and § 485:10-11-2(d) of the Rules promulgated by the Board.

IT IS FURTHER ORDERED that the parties agree that both (all) parties have participated in the drafting of this Stipulation, Settlement and Order and that no presumption or construction against any party as the drafter of this Stipulation, Settlement and Order, shall apply or be applied in the event of a claim of ambiguity of the document or a provision thereof.

IT IS FURTHER ORDERED that this stipulation shall not be effective until the fully executed Order is received in the Board office.

IT IS FURTHER ORDERED that upon successful completion of all of the terms and conditions of this Order, no further Order of the Board shall be deemed necessary.

IT IS FURTHER ORDERED that this Order constitutes disciplinary action by the Board and may be used in any subsequent hearings by the Board. In the event other misconduct is reported to the Board, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

Respondent

Approved and ordered this 28th day of May, 2008.

OKLAHOMA BOARD OF NURSING

By: _____
President

EM:ad