

Respondent's nursing employment history continued:

01/2000 - 09/2005	Staff Nurse	Texas Specialty Hospital at Wichita Falls Wichita Falls, Texas
09/2005 - 12/2005	Home Health Nurse	Rolling Meadows Home Health Wichita Falls, Texas
01/2006 - Present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, and had been in this position for four (4) years.
7. On or about January 3, 2004, through September 1, 2004, while employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, Respondent withdrew medications for patients, without valid physicians' orders, and failed to document the administration of the medications in the medical record of patients, as follows:

Date/Time	Patient Record #	Narcotic Sheet	Physician's Order	Medication Administration Record	Nurses Notes
01/03/04 @ 1330	001389	1 Hydrocodone/Apap7.5 mg (Lortab)	None	None	None
03/19/04 @ 0840	001330	1 Alprazolam 0.25 mg (Xanax)	None	None	None
09/01/04 @ 2200	001577	2 Serax 15 mg	None	None	None

Respondent's conduct was in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act), resulted in inaccurate medical records, and 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.

8. On or about March 19, 2004, through September 1, 2004, while employed as a Staff Nurse with Texas Specialty Hospital and Wichita Falls, Wichita Falls, Texas, Respondent failed to administer medications to patients as ordered, and instead, erroneously documented that they were administered, as follows:

Date/Time	Patient Record #	Narcotic Sheet	Physician's Order	Medication Administration Record	Nurses Notes
03/19/04 @ 0840	001330	0900 - Not obtained for patient	Ativan 0.5mg	Documented as administered	None
09/01/04 @ 2100	001577	2100 - Not obtained for patient	Restoril 30mg	Documented at administered	None

Respondent's conduct resulted in inaccurate medical records and was likely to injure patients in that failure to administer medications as ordered could have resulted in non-efficacious treatment.

9. On or about April 9, 2004, while employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, Respondent erroneously administered Clonazepam 0.5 mg to Patient Number 001472 instead of Clonazepam 0.25 mg, as ordered. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered could have resulted in non-efficacious treatment.
10. On or about April 9, 2004, while employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, Respondent withdrew and administered two (2) tablets of Lortab 5/500mg to Patient Number 001533 instead of Lortab 7.5 mg, as ordered, and erroneously documented the administration of Lortab 7.5 mg in the patient's medical record. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that failure to administer medications as ordered could have resulted in non-efficacious treatment.
11. On or about July 26, 2004, while employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, Respondent erroneously administered Dextrose 5% in Water with Potassium intravenously to Patient Number 001552 at the rate of 400 ml/hr, instead of at the rate of 40 ml/hr, as ordered. Consequently, the patient received 900 ml of fluid in only ninety (90) minutes before the error was discovered, which resulted in the patient suffering from fluid overload. Additionally, Respondent exceeded her facility authorized scope of practice, which specified that Potassium cannot be administered intravenously by a LVN. Respondent's conduct was likely to injure the patient from adverse reactions due to potential medication overdose, including possible demise and/or from medications administered incorrectly.
12. On or about July 26, 2004, while employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, Respondent failed to appropriately assess and/or document an assessment of the aforementioned Patient Number 001552 for edema or her respiratory status after she developed fluid overload. Respondent's conduct resulted in an incomplete and inaccurate medical record, and was likely to injure the patient in that subsequent care givers would not have complete information on which to base their care decisions.
13. On or about August 29, 2004, through August 30, 2004, while employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, Respondent failed to document in the medical record a physician's order to administer Ambien 10 mg, at bedtime, to Patient Number 001570. Consequently, the patient did not receive two (2) doses of the medication, as ordered. Respondent's conduct was likely to injure the patient in that failure to note and implement physicians' orders could have resulted in non-efficacious treatment.
14. On or about September 11, 2004, through September 12, 2004, while employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, Respondent failed to administer intravenous Claforan to Patient Number 001585, at 2200 hours and at 0600 hours, as ordered and as scheduled. Additionally, Respondent falsely documented in the medical record that she administered the 2200 dose of Claforan and falsely documented on the Intake and Output Record that the patient received 50 cc of intravenous Claforan at 0600 hours. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that failure to administer medications as ordered could have resulted in non-efficacious treatment.

15. On or about September 13, 2004, through September 14, 2004, while employed as a Staff Nurse with Texas Specialty Hospital at Wichita Falls, Wichita Falls, Texas, Respondent failed to administer Insulin to Patient Number 001562, as ordered, as follows:

Date	Time	Blood Sugar	Physician's Order	Medication Administration Record
9/13/04	0600	141	10 Units Lantus Insulin	Not administered
9/13/04	2100	256	9 Units Regular Insulin and 10 Units Lantus Insulin	Not administered
9/14/04	0600	163	10 Units Lantus Insulin	Not administered

Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered could have resulted in non-efficacious treatment.

16. In response to the incidents in Findings of Fact Numbers Seven (7) through Fifteen (15), Respondent states that she believes that her nursing practice was affected by factors in her personal life, which resulted in her being depressed and caused her ability to concentrate and focus on tasks to be impaired. Further, Respondent states that she was working many long hours, to the point of exhaustion, in an attempt to support her family since she no longer had the financial support of her husband. Finally, Respondent states that her former nurse manager failed to timely address the nursing errors with her, and states that she believes that had she been counseled after the third or fourth report, there would have been a good possibility that she could have corrected her practice then.

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 302.402(a)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(2),(3),(4)&(27)(A).
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 169923, heretofore issued to KELLY EVONNE WALDEN, 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 Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Vocational Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *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 compact states.

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 KELLY EVONNE WALDEN, to the office of the Board of Nurse Examiners within ten (10) days from 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 Chemical Dependency, 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.bne.state.tx.us/about/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.bne.state.tx.us/about/stipscourses.html>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. 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. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. 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.bne.state.tx.us/about/stipscourses.html>.*

(5) 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.bne.state.tx.us/about/stipscourses.html>

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A LICENSED VOCATIONAL NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for one (1) year of employment as a nurse.

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 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 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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 12th day of September, 2007.

[Signature]
KELLY EVONNE WALDEN, Respondent

Sworn to and subscribed before me this 12th day of September, 2007.

SEAL

[Signature]
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 12th day of September, 2007, by KELLY EVONNE WALDEN, Vocational Nurse License Number 169923, and said Order is final.

Effective this 18th day of October, 2007.



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