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| IN THE MATTER OF | § | BEFORE THE ELIGIBILITY |
| | § | |
| PERMANENT CERTIFICATE | § | AND DISCIPLINARY |
| | § | |
| NUMBER 119460 | § | COMMITTEE |
| | § | |
| ISSUED TO | § | OF THE TEXAS |
| | § | |
| MARY LOU HOUSTON | § | 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

**ORDER OF THE BOARD**

TO: Mary Lou Houston
191 Mandy Cir
Levelland, Texas 79336

During open meeting held in Austin, Texas, on December 11, 2007, 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 119460, previously issued to MARY LOU HOUSTON, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 119460, previously issued to MARY LOU HOUSTON, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

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 11th day of December, 2007.

TEXAS BOARD OF NURSING

BY: Katherine A. Thomas

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

| | | |
|---|---|---|
| **In the Matter of Permanent License** | § | **BEFORE THE TEXAS** |
| **Number 119460, Issued to** | § | |
| **MARY LOU HOUSTON, Respondent** | § | **BOARD OF NURSING** |

## FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MARY LOU HOUSTON, is a Vocational Nurse holding license number 119460, which is in current 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 January 7, 2005, while employed as a Licensed Vocational Nurse with Bender Terrace Nursing Home, Lubbock, Texas, Respondent failed to notify the Director of Nursing or appropriate legal and regulatory authorities when it had been reported to her that a staff member had verbally and/or physically abused Resident A.R. Respondent's conduct created an unsafe environment and may have unnecessarily exposed the patient to risk of further abuse or injury by an unidentified source and/or perpetrator.

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),(U), and 22 TEX. ADMIN. CODE §217.12(1)(A) & (6)(C).

### CHARGE II.

On or about January 7, 2005, through January 8, 2005, while employed as a Licensed Vocational Nurse with Bender Terrace Nursing Home, Lubbock, Texas, Respondent failed to assess and evaluate or institute the appropriate nursing intervention required to stabilize Resident A.R., when it had been reported to her that a staff member had verbally and/or physically abused Resident A.R. Respondent's conduct exposed the patient to the risk of harm in that significant changes in the patient's status may have gone undetected which may have prevented timely medical intervention.

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),(D),(M) & (2)(A), and §217.12(1)(F),(4)&(6)(C).

## CHARGE III.

On or about January 7, 2005, through January 8, 2005, while employed as a Licensed Vocational Nurse with Bender Terrace Nursing Home, Lubbock, Texas, Respondent failed to document in the medical records that it had been reported to her that Resident A.R. had been verbally and/or physically abused. Respondent's conduct deprived subsequent care givers of vital information on which to base on-going medical care and interventions.

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)(D), and 22 TEX. ADMIN. CODE §217.12(1)(C),(4).

## CHARGE IV.

On or about January 7, 2005, through January 8, 2005, while employed as a Licensed Vocational Nurse with Bender Terrace Nursing Home, Lubbock, Texas, Respondent failed to suspend the alleged perpetrator or initiate an investigation when it was reported to her that Resident A.R. had been verbally and/or physically abused. Respondent's conduct unnecessarily exposed the patient to risk of further abuse or injury by an unidentified source and/or perpetrator and failed to promote a safe environment.

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), and 22 TEX. ADMIN. CODE §217.12(1)(F),(4)&(6)(C).

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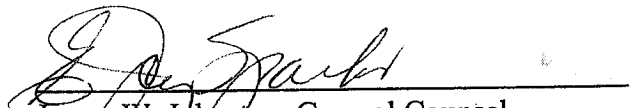
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

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.

Filed this 4th day of October, 2007.

TEXAS BOARD OF NURSING



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333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
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0999/D

Re: Permanent Certificate Number 119460
Issued to MARY LOU HOUSTON
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of December, 2007, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

MARY LOU HOUSTON
191 Mandy Cir.
Levelland, Texas 79336

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