

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Vocational Nurse  
License Number 141549  
issued to LETTIE MARPESIA GRIFFIS

§ AGREED  
§  
§ ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter refer  
to as the Board, considered the matter of LETTIE MARPESIA GRIFFIS, Vocational Nurse Lice  
Number 141549, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have  
violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived representation by  
counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on  
August 27, 2007, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by  
the Board.

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 conference, 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 San Jacinto College, Houston, Texas, on April 30, 1992. Respondent was licensed to practice vocational nursing in the State of Texas on May 25, 1993.
5. Respondent's vocational nursing employment history includes:

05/93 - 07/93

LVN

Southfield Nursing Home  
Pasadena, Texas



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.  
*Katherine A. Thomas*  
Executive Director of the Board

Respondent's vocational nursing employment history continued:

08/93 - 06/02	LVN	Harris County Sheriff Department Houston, Texas
07/02 - present	LVN	University of Texas Medical Branch Plane State Jail, Dayton, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with the University of Texas Medical Branch, Plane State Jail, Dayton, Texas, and had been in this position for two (2) years and seven (7) months.
7. On or about March 7, 2005, while employed with the University of Texas Medical Branch, Plane State Jail, Dayton, Texas, Respondent failed to assess, evaluate and/or institute appropriate nursing interventions required to stabilize Inmate C.R., whose chief complaints included coughing up blood for two days, shortness of breath, and chest pain. Respondent's conduct may have contributed to the inmate's demise.

Respondent states that Inmate C.R. was stable when she turned her over to the first shift nurse.

8. On or about March 7, 2005, while employed with the University of Texas Medical Branch, Plane State Jail, Dayton, Texas, Respondent failed to ensure the accurate and complete documentation of the status of Inmate C.R. in that Respondent instructed LVN P.F. to "discard" her assessment of Inmate C.R. which was completed on March 6, 2005, despite the fact that LVN P.F. had documented a continued decline in Inmate C.R.'s condition. Respondent's conduct resulted in an inaccurate, incomplete medical record and exposed the patient unnecessarily to the risks of harm from complications due to undiagnosed and consequently untreated disease processes.

Respondent states that on March 6, 2005, she was not on duty.

9. On or about March 7, 2005, while employed with the University of Texas Medical Branch, Plane State Jail, Dayton, Texas, Respondent falsely documented a verbal order for Oxygen 2L/NC in Inmate C.R.'s medical record, which was never ordered by the physician. Respondent's conduct resulted in an inaccurate medical record and was likely to deceive other caregivers who needed complete information on which to base their care.
10. In response to Findings of Fact Numbers Seven (7), Eight (8) and Nine (9), Respondent states:

"At approximately 0400, I was informed by security that Pt. CR had been throwing up blood, I advised security at that time to send Pt. CR to the clinic in order to be checked out...upon

her arrival I noticed she was diaphoretic, I,(sic) immediately had her to come into the clinic...and I began my evaluation of her. Her blood pressure at that time was 160/90, with pulse rate of 136 and temp of 96.1. I noticed that every time I got in front of Pt. CR she began breathing hard, but if I had to go get something in order to continue with my evaluation, I had noticed her breathing was slowed down and had become almost normal, when I returned to her...I had Pt. CR,(sic) go into the ER so I could perform an EKG on her. EKG revealed tachycardia. She had told me that her chest had been hurting off and on for four days, but it wasn't hurting at that time. (I was taught by an RN at one time that if a pt. has an elevated pulse and they didn't have COPD that you can put them on O2 at 2 liters/nc and it would help to get the pulse rate down.) Pt. CR had informed me at one point of my evaluation that she had not eaten or drank anything in about three days. I had Pt. CR in the clinic for approximately an hour before the first shift nurse arrived and she had never showed any signs of throwing up blood or in any distress to me. She never c/o chest pain nor was she throwing up blood, at the time of my evaluation. Pt. CR had been in the clinic several times prior to coming in that morning.

I did tell...the provider that had came(sic) in that morning, that I had put CR on O2 in order to try to get the pulse rate down,(sic) she noticed the O2 on CR as well, and she never once told me that I shouldn't have put her on it or to take it off,(sic) instead she had it turned up to 10 liters/mask."

#### 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 a violation of Section 301.452(b)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)(D)(i)(iii)&(vi),(M)&(2)(A)(i)&(v).
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 141549, heretofore issued to LETTIE MARPESIA GRIFFIS, 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 a 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 LETTIE MARPESIA GRIFFIS, 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 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>.*

(4) 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:**

(5) 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.

(6) 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.

(7) For the duration of the stipulation period, 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.

(8) 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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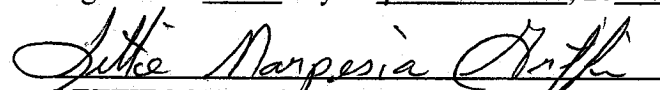
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RESPONDENT'S CERTIFICATION

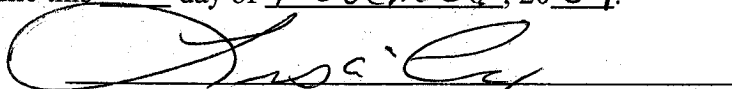
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 5 day of NOVEMBER, 2007.

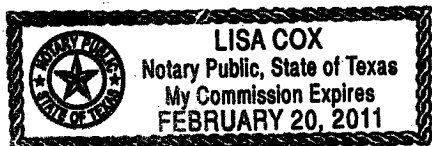
  
LETTIE MARPESIA GRIFFIS, Respondent

Sworn to and subscribed before me this 5<sup>th</sup> day of NOVEMBER, 2007.

SEAL



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 5th day of November, 2007, by LETTIE MARPESIA GRIFFIS, Vocational Nurse License Number 141549, and said Order is final.

Effective this 11th day of December, 2007.



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

