

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBERS 619073 & 147746
ISSUED TO
ANGELA M. HECKER

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE 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.
Patricia A. Johnson
Executive Director of the Board

ORDER OF THE BOARD

TO: Angela M. Hecker
6426 Chapman Drive
Greenville, Texas 75402

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 licenses to practice professional and 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 Numbers 619073 and 147746, previously issued to ANGELA M. HECKER, to practice professional and vocational nursing in the State of Texas be, and the same are hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Numbers 619073 and 147746, previously issued to ANGELA M. HECKER, 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 privileges, if any, to practice professional and vocational nursing in the State of Texas.

Entered this 11th day of December, 2007.

TEXAS BOARD OF NURSING


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

Re: Permanent Certificate Numbers 619073 and 147746
Issued to ANGELA M. HECKER
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17th 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):

Angela M. Hecker
6426 Chapman Drive
Greenville, Texas 75402

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

In the Matter of Registered Nurse §
License Number 619073 and Vocational § **BEFORE THE TEXAS**
Nurse License Number 147746, issued to §
ANGELA M. HECKER, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANGELA M. HECKER, is a Registered Nurse holding license number 619073 which is in delinquent status at the time of this pleading and a Vocational Nurse holding license number 147746, which is in delinquent 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 June 3, 2005 and June 4, 2005, while employed with Presbyterian Hospital of Greenville, Greenville, Texas, Respondent withdrew medications including Demerol and Dilaudid from the Pyxis Medication Dispensing System for patients but failed to follow the policy and procedure for the wastage. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(B), (10)(C), &(11)(B).

CHARGE II.

On or about July 16, 2005, while employed with Presbyterian Hospital of Greenville, Greenville, Texas, Respondent failed to properly dispose of a needle in that Respondent left her purse and an uncapped needle on the floor in the restroom. In addition, a staff member found an empty syringe in the restroom trash can. Respondent's conduct exposed patients and others unnecessarily to a risk of harm from exposure to the uncapped needle.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(B)(O).

CHARGE III.

On or about July 21, 2005, while employed with Presbyterian Hospital of Greenville, Greenville, Texas, Respondent delegated the drawing up of medications to a patient care aide (PCA). Respondent's conduct was likely to injure patients in that delegating the drawing up of medications to an untrained staff person could have resulted in medication errors.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(C)(S)&(3)(B).

CHARGE IV.

On or about July 28, 2005, while employed with Presbyterian Hospital of Greenville, Greenville, Texas, Respondent engaged in the intemperate use of Hydrocodone, Hydromorphone, Morphine, Propoxyphene, and Opiates, in that Respondent produced a specimen for a drug screen which resulted positive for Hydrocodone, Hydromorphone, Morphine, Propoxyphene, and Opiates. Possession of Hydrocodone, Hydromorphone, Morphine, Propoxyphene, and Opiates is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Hydrocodone, Hydromorphone, Morphine, Propoxyphene, and Opiates by a 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A)(D)&(11)(B).

CHARGE V.

On or about August 4, 2005, while employed with Presbyterian Hospital of Greenville, Greenville, Texas, Respondent was dismissed from the Texas Peer Assistance Program for Nurses (TPAPN) due to non-compliance with quarterly employer meetings, 12-step meeting attendance, monthly self-reports, and to a positive drug screen.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9).

CHARGE VI.

On or about August 4, 2005, while employed with Presbyterian Hospital of Greenville, Greenville, Texas, Respondent failed to comply with the Agreed Order issued to her by the Board of Nurse Examiners for the State of Texas on July 13, 2004. Respondent failed to comply with quarterly employer meetings, 12-step meeting attendance, monthly self-reports, and had a positive drug screen which constitutes a failure to comply with all the requirements of the TPAPN contract during its term.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

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. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

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.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Chemical Dependency, Lying and Falsification, and Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

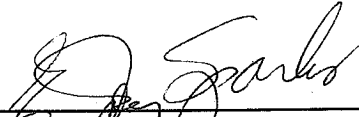
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NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated July 13, 2004.

Filed this 2nd day of November, 2007.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Victoria Cox, Assistant General Counsel
State Bar No. 00789585

E. Joy Sparks, Assistant General Counsel
State Bar No. 18874600

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated July 13, 2004.

0999/D

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 619073 § AGREED
issued to ANGELA M. HECKER § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of ANGELA M. HECKER, Registered Nurse License Number 619073, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9), (10), &(12), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on April 15, 2004, 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 conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Howard College, Big Spring, Texas, in May 1995. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 1995.
5. Respondent's professional employment history includes:

05/95 - 11/00	GN/Charge Nurse/ Relief House Supervisor	VA Medical Center Big Spring, Texas
01/99 - 05/01	MDS Coordinator	Sunbridge Health System Stanton, Texas

Respondent's professional employment history continued:

06/01 - 06/02	Charge Nurse/ICU	Titus Regional Medical Center Mt. Pleasant, Texas
01/03 - 07/03	Staff Nurse	Wilson N. Jones Medical Center Sherman, Texas
08/03 - Present	Unknown	

6. On or about July 22, 2003, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent may have lacked fitness to practice professional nursing in that Respondent exhibited impaired behavior including, but not limited to: talking nonsensically, mumbling, falling asleep, and unable to keep track of patient notes/charts/flowsheets. Respondent's conduct could affect her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could affect her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
7. On or about July 22, 2003, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent withdrew narcotics from the Omnicell medication dispensing system for patients but failed to document the administration of the medication in the patients' Medication Administration Record (MAR) and/or Nurses Notes, as follows:

Date/Time	Patient	Physician's Order	Omnicell	MAR	Nurses Notes	Wastage
7/22/03@0732	43164201	Morphine Sulfate 8mg	Morphine 10mg	No	No	2mg
7/22/03@1022	same	same	Morphine 10mg	No	No	No
7/22/03@1037	43131150	Hydrocodone 1 tab	Hydrocodone 1 tab	No	No	No
7/22/03@0147	43001460	Hydrocodone 1 tab	Hydrocodone 1 tab	No	No	No
7/22/03@1113	43122282	Demerol 50mg	Demerol 50mg	No	No	No
7/22/03@1138	same	Hydrocodone 1 tab	Hydrocodone 1 tab	No	No	No
7/22/03@0234	same	Demerol 50mg	Demerol 50mg	1350	No	No

Respondent's conduct 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.

8. On or about July 11, 2003 and July 22, 2003, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent withdrew Morphine Sulfate from the Omnicell medication dispensing system for patients, but failed to follow the policy and procedure for the wastage. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

9. On or about July 22, 2003, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent misappropriated Morphine Sulfate, Demerol, and Hydrocodone belonging to the facility and/or the patients thereof. Respondent's conduct was likely to defraud the facility and the patients of the cost of the medications.
10. On or about July 22, 2003, while employed with Wilson N. Jones Medical Center, Sherman, Texas, Respondent engaged in the intemperate use of Morphine Sulfate, Demerol, and Hydrocodone. Possession of Morphine Sulfate, Demerol, and Hydrocodone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Morphine Sulfate, Demerol, and Hydrocodone by a Registered 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.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(9),(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(3),(4),(12),(19)&(20).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 619073, heretofore issued to ANGELA M. HECKER, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Professional 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 privileges, if any, to practice professional 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, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that was signed on the 16th day of June, 2004, by ANGELA M. HECKER, License Number 619073, and said Order is final.

Entered and effective this 13th day of July, 2004.



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