BEFORE THE TEXAS BOARD OF NURSING
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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

In the Matter of Registered Nurse License Number 559777	§	AGREED
issued to LOUISE DINORIA OVERMILLER	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of LOUISE DINORIA OVERMILLER, Registered Nurse License Numl 559777, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on September 24, 2007, 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 Barton County Community College, Great Bend, Kansas, in May 1989. Respondent was licensed to practice professional nursing in the State of Texas on March 30, 1990.

5. Respondent's professional nursing employment history includes:

03/1990 to 06/1990	Unknown	
07/1990 to Present	Staff Nurse	Methodist Hospital San Antonio, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Methodist Hospital, San Antonio, Texas, and had been in this position for fourteen (14) years and ten (10) months.

7. On or about May 16, 2005, while employed as a Staff Nurse with Methodist Hospital, San Antonio, Texas, Respondent administered Magnesium Sulfate to a pregnant patient, who had been admitted for an induction of labor, instead of Pitocin, as ordered by the physician. The use of Magnesium Sulfate within twenty-four (24) hours before delivery puts the neonate at risk for magnesium toxicity, including neuromuscular and respiratory depression. Respondent's conduct was likely to expose the patient to risk of harm from delayed onset of labor, and unnecessarily exposed the patient's fetus to the risk of possible demise.

8. On or about November 5, 2005, while employed as a Staff Nurse with Methodist Hospital, San Antonio, Texas, Respondent failed to document a nursing assessment in the medical record of Patient Medical Record Number W00742860. Respondent's conduct resulted in an incomplete medical record and was likely to injure the patient in that subsequent care givers did not have accurate and complete information on which to base their decisions for further care.

9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that with regard to the Magnesium Sulfate, she mistakenly took the Magnesium Sulfate out of the Pyxis instead of the Pitocin, and that she is thankful the change of shift nurse caught the error. With regard to the failure to document the assessment, Respondent states that she performed the assessment but felt the patient's need for pain control was her first priority. In the process of caring for the active needs of this and other patients, she states she forgot to complete the documentation.

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 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A),(1)(B), (1)(C)&(1)(D) and 217.12(1)(A)&(1)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 559777, heretofore issued to LOUISE DINORIA OVERMILLER, including revocation of Respondent's license to practice professional 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, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§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 privilege, 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 that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to LOUISE DINORIA OVERMILLER 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 <u>not</u> 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.bon.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

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 professional 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 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 25th day of October, 2007.

Louise Dinoria Overmiller

LOUISE DINORIA OVERMILLER, Respondent

Sworn to and subscribed before me this 25th day of October, 2007.

SEAL

Allen Wurzbach

Notary Public in and for the State of Texas

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 25th day of October, 2007, by LOUISE DINORIA OVERMILLER, Registered Nurse License Number 559777, and said Order is final.

Effective this 15th day of November, 2007.

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