



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 P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 511736 §
issued to ELLEN JOA WILLIAMS §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 511736, issued to ELLEN JOA WILLIAMS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal conference, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received a Bachelor of Science Degree in Nursing from Olivet Nazarene University, Kankakee, Illinois, on May 1, 1982. Respondent was licensed to practice professional nursing in the State of Texas on December 16, 1983. Respondent received a Master of Science Degree in Nursing Administration from Texas Women's University, Houston, Texas, in 1994.

4. Respondent's professional nursing employment history includes:

12/83 - 03/86	Unknown	
04/86 - 05/03	Staff RN	Houston Northwest Medical Center Houston, Texas

Respondent's professional nursing employment history continued:

06/03 - 07/05	RN Manager	Memorial Hermann The Woodlands Hospital The Woodlands, Texas
08/05 - 01/06	Unknown	
02/06 - 06/06	Case Manager	Kingwood Medical Center Kingwood, Texas
07/06 - 10/06	RN	Tomball Regional Hospital Tomball, Texas
11/06 - present	Unknown	

5. On June 22, 2007, Respondent was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas which required her to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated June 22, 2007, is attached and incorporated, by reference, as a part of this Order.
6. Formal Charges were filed on January 2, 2008, for the following allegations:
 - 6.1 On or about October 23, 2007, while employed with Huntsville Memorial Hospital, Huntsville, Texas, Respondent misappropriated Morphine belonging to the facility and patients thereof, in that Respondent admitted to the misappropriation of Morphine to her supervisor. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
 - 6.2 On or about October 23, 2007, while employed with Huntsville Memorial Hospital, Huntsville, Texas, Respondent engaged in the intemperate use of Morphine in that Respondent admitted to relapsing with the use of Morphine. Possession of Morphine without a lawful prescription is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Morphine 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.
 - 6.3 On or about October 23, 2007, while employed with Huntsville Memorial Hospital, Huntsville, Texas, Respondent failed to comply with the Agreed Order issued to her on June 22, 2007, by the Board of Nurse Examiners for the State of Texas. Respondent's non-compliance is a result of her failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) in that Respondent engaged in the intemperate use of Morphine. Stipulation Number Three (3) of the Order, reads, in pertinent part:
 - (3) "RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term."

7. Formal Charges were mailed to Respondent on January 4, 2008.
8. On March 12, 2008, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of the notarized statement is attached and incorporated, by reference, as part of this Order.
9. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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.
4. The evidence received is sufficient to prove violations of Section 301.452(b)(1),(9),&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(G),(8),(9),(10)(A)&(E), &(11)(B).
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 511736, heretofore issued to ELLEN JOA WILLIAMS, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to ELLEN JOA WILLIAMS, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional nursing, use the title of "Registered Nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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 compact states.

Effective this 17th day of March, 2008.

TEXAS BOARD OF NURSING

By:



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

Dear Ms. Capone,

March 12, 2008

I wish to surrender my license to practice nursing in the state of Texas. I do not wish to dispute any of the alleged charges or to appear before the board in person.

Sincerely,

Ellen Joa Williams

Ellen Joa Williams
License #511736

Kay Omer
3/12/2008



BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse §
License Number 511736 § AGREED
issued to ELLEN JOA WILLIAMS § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of ELLEN JOA WILLIAMS, Registered Nurse License Number 511736, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on May 17, 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 a Bachelor of Science Degree in Nursing from Olivet Nazarene University, Kankakee, Illinois, on May 1, 1982. Respondent was licensed to practice professional nursing in the State of Texas on December 16, 1983. Respondent received a Master of Science Degree in Nursing Administration from Texas Women's University, Houston, Texas, in 1994.
5. Respondent's professional nursing employment history includes:

12/83 - 03/86

Unknown

Respondent's professional nursing employment history continued:

04/86 - 05/03	Staff RN	Houston Northwest Medical Center Houston, Texas
06/03 - 07/05	RN Manager	Memorial Hermann The Woodlands Hospital The Woodlands, Texas
08/05 - 01/06	Unknown	
02/06 - 06/06	Case Manager	Kingwood Medical Center Kingwood, Texas
07/06 - 10/06	RN	Tomball Regional Hospital Tomball, Texas
10/06 - present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Memorial Hermann The Woodlands Hospital, The Woodlands, Texas, and had been in this position for approximately two (2) years and one (1) month.
7. On or about July 7, 2005 and July 9, 2005 while employed with Memorial Hermann, The Woodlands Hospital, The Woodlands, Texas, Respondent withdrew Morphine from the Medication Dispensing System (Pyxis) for patients, but failed to completely and accurately document the administration of the medications in the patients' Medication Administration Records (MARs) and Nurses Notes, as follows:

Date/Time	Patient Account #	Medication Dispensing System (Pyxis)	Physician's Order	Medication Administration Record (MARs)	Nurses Notes	Waste
7/7/05 @ 1029	343629605180	(1) Morphine 4 mg/1mL syringe	2 mg Morphine Q3-4H PRN PAIN	None	None	2mg @ 1318
7/9/05 @ 1446	346153075187	(1) Morphine 4 mg/1mL syringe	Morphine 1-4 mg Q4-6 H PRN PAIN	None	Pt. D/C at 1400	None

Respondent's conduct 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 June 23, 2005, through July 10, 2005, while employed with Memorial Hermann, The Woodlands Hospital, The Woodlands, Texas, Respondent withdrew Morphine and Demerol from the Medication Dispensing System (Pyxis) for patients, but failed to follow the policy and procedure for the wastage of the medications in that Respondent admits to withdrawing vials of Morphine 10mg/1mL from the Medication Dispensing System (Pyxis) for patients, giving the patients the correct dose as ordered, and then taking the excess medication for herself. 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 June 23, 2005, through July 10, 2005, while employed with Memorial Hermann, The Woodlands Hospital, The Woodlands, Texas, Respondent misappropriated Morphine belonging to the facility and patients thereof, in that Respondent admitted to the misappropriation of Morphine. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. On or about June 25, 2005, while employed with Memorial Hermann, The Woodlands Hospital, The Woodlands, Texas, Respondent inappropriately changed the Medication Administration Record (MAR) for Patient Medical Record #352168435174, in that Respondent received a new physician's order for Meperidine 100mg, Q4H, PRN pain, crossed out the initial order of Meperidine 50mg, Q6H, PRN pain on the Medication Administration Record (MAR), and wrote in the new order directly above initial order. Respondent's conduct was likely to injure the patient in that subsequent care givers would be unable to discern which order and dosage was followed during the administration of the medication and they would rely on her documentation to further medicate the patient which could result in an overdose.
11. On or about December 2005, Respondent lacked fitness to practice professional nursing in that Respondent was hospitalized for suicidal ideation. Respondent admits that on November 28, 2005, she attempted to commit suicide. Respondent states that she received inpatient treatment and now she continues her outpatient medications, therapist, and psychiatrist appointments. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
12. On or about June 30, 2006, while employed with Kingwood Medical Center, Kingwood, Texas, Respondent engaged in the intemperate use of alcohol and/or drugs in that Respondent admits to attempting to substitute her urine drug screen specimen due to relapsing on drugs and/or alcohol. The use of alcohol and/or drugs 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.
13. On or about October 10, 2006, while employed with Tomball Regional Hospital, Tomball, Texas, but not on duty, Respondent attempted to misappropriate Morphine belonging to the facility and patients thereof, in that Respondent was observed taking vials of wasted Morphine from the sharps container and placing them in a separate container for her personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
14. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

15. Respondent's conduct described in Findings of Fact Numbers Seven (7) through Thirteen (13) was significantly influenced by Respondent's dependency on chemicals.
16. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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 violations of Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(D) and §217.12(1)(A),(4),(5),(6)(G),(8),(10)(A)&(D) and (11)(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 511736, heretofore issued to ELLEN JOA WILLIAMS, including revocation of Respondent's license to practice professional 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 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.

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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. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Board of Nurse Examiners, 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

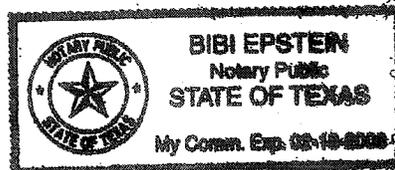
Signed this 20 day of June, 2007.

Ellen Jo Williams
ELLEN JOA WILLIAMS, Respondent

Sworn to and subscribed before me this 20th day of June, 2007.

SEAL

[Signature]
Notary Public in and for 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 20TH day of JUNE, 2007, by ELLEN JOA WILLIAMS, Registered Nurse License Number 511736 and said Order is final.

Entered and effective this 22ND day of JUNE, 2007



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