

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 203847
ISSUED TO
SHONDA OKEMA FAVAROTH

§
§
§
§
§
§
§
§

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 P. Roman
Executive Director of the Board

ORDER OF THE BOARD

TO: Shonda Okema Favaroith
7412 Glen Drive
Watauga, Texas 76148

During open meeting held in Austin, Texas, on June 10, 2008, 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 203847, previously issued to SHONDA OKEMA FAVAROTH, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 203847, previously issued to SHONDA OKEMA FAVAROTH, 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 10th day of June, 2008.

TEXAS BOARD OF NURSING

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

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of June, 2008, 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):

Shonda Okema Favaroath
7412 Glen Drive
Watauga, Texas 76148

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 203847, Issued to §
 SHONDA OKEMA FAVAROTH, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHONDA OKEMA FAVAROTH, is a Vocational Nurse holding license number 203847, 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 April 27, 2007, Respondent engaged in the intemperate use of THC, in that Respondent submitted a specimen for a "new hire" drug screen requested by Rambling Oaks Courtyard, Highland Village, Texas, which resulted positive for Tetrahydrocannabinol (THC). Possession of Marijuana is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Marijuana by a Licensed Vocational 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)&(12), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(E),(5),(10)(A)&(D)&(11)(B).

CHARGE II.

On or about April 27, 2007, while employed as a Licensed Vocational Nurse with Rambling Oaks Courtyard, Highland Village, Texas, Respondent failed to follow physicians' orders to administer scheduled medications to Patient T.O., as follows:

Date	Patient	Physician's Order	Medication Sheet
04-27-07	T.O.	Ampicillin 500mg TID x 10 days. Start Date: 4-25-07	8:00 a.m. dose not documented as given
04-27-07	T.O.	Glucotrol XL 2.5mg Tab SA - (Glipizide) 1 tab po BID	8:00 a.m. dose not documented as given
04-27-07	T.O.	Norvasc 5mg Tablet (Amlodipine Besylate) 1 tab po QD	8:00 a.m. dose not documented as given
04-27-07	T.O.	Ocuvite Tab - (Vision Antioxidant) 1 tab po QD	8:00 a.m. dose not documented as given
04-27-07	T.O.	Protonix 40mg TR Tab EC - (Pantoprazole Sodium) 1 tab po QD	8:00 a.m. dose not documented as given

Date	Patient	Physician's Order	Medication Sheet
04-27-07	T.O.	Zyprexa 5mg Tab - (Olanzapine) 1 tab po QD	8:00 a.m. dose not documented as given
04-27-07	T.O.	Lexapro 10 mg Tab - (Escitalopram Oxalate) 1 po QD	8:00 a.m. dose not documented as given
04-27-07	T.O.	Lasix 80mg Tab - (Furosemide) 1 tab po QD	8:00 a.m. dose not documented as given
04-27-07	T.O.	Potassium HCL 20meq Tab SA (Potassium Chloride (KCL)) 2 tabs po QD	8:00 a.m. dose not documented as given
04-27-07	T.O.	Reg Insulin Sliding Scale	7:00 a.m. and 11:00 a.m. BS checks not documented as taken and no intervention, if needed, was documented
04-27-07	T.O.	Docusate Sodium 100mg Cap - (Docusate Sodium) 1 cap po QD	8:00 a.m. dose not documented as given

Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.

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)(A),(B),(C),(D)&(T), and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(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.

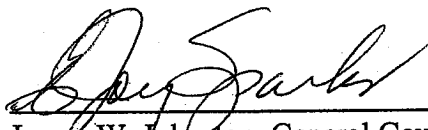
BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder and Lying and Falsification which can be found at the Board's website, www.bon.state.tx.us.

Filed this 8th day of May, 2008.

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