



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number § AGREED
665868 issued to LARRIETTA LADONNA JONES § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of LARRIETTA LADONNA JONES, License Number 665868, hereina referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on September 17, 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 professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Tarrant County Junior College, Fort Worth, Texas, on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on January 19, 2000.
5. Respondent's complete professional nursing employment history includes:

2/00-9/02

RN

Children's Medical Center
Dallas, Texas

Respondent's complete professional nursing employment history continued:

5/01-9/01	RN	Methodist Hospital Dallas, Texas
9/02-8/04	RN	Harris Methodist Fort Worth Fort Worth, Texas
9/04-4/06	RN	North Richland Hills Hospital Richland Hills, Texas
5/06-10/06	RN	MSN Agency Fort Worth, Texas
11/06-12/06	RN	Baylor Medical Center Irving, Texas
1/07-Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a registered nurse with North Richland Hills Hospital, Richland Hills, Texas, and had been in this position for approximately one (1) year and six (6) months.
7. On or about March 16, 2006, while employed with North Hills Hospital, North Richland Hills, Texas, Respondent engaged in the intemperate use of Nordiazepam, Oxazepam, and Temazepam in that she submitted a specimen for drug screen which resulted positive for Nordiazepam, Oxazepam, and Temazepam. Possession of Nordiazepam, Oxazepam, and Temazepam without a lawful prescription is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Nordiazepam, Oxazepam, and Temazepam 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.
8. On or about June 3, 2006, while employed with MSN Agency, Fort Worth, Texas, and on assignment at Baylor Medical Center, Irving, Texas, Respondent withdrew Phenergan, Hydromorphone, and Ativan from the medication dispensing system for Patient Medical Record Number 377024, but failed to completely and/or accurately document the administration of the medications in the patient's Medication Administration Record (MAR) and/or Nurses Notes. 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.

9. On or about June 3, 2006, while employed with MSN Agency, Fort Worth, Texas, and on assignment at Baylor Medical Center, Irving, Texas, Respondent withdrew Phenergan, Hydromorphone, and Ativan from the medication dispensing system for Patient Medical Record Number 277024, but failed to follow the policy and procedure for the wastage of the medications. 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).
10. On or about June 3, 2006, while employed with MSN Agency, Fort Worth, Texas, and on assignment at Baylor Medical Center, Irving, Texas, Respondent withdrew Hydromorphone, and Ativan from the medication dispensing system for Patient Medical Record Number 377024 without a valid physician's order. Respondent's conduct was likely to injure the patients in that the administration of Hydromorphone and Ativan without a valid physician's order could result in the patient suffering from adverse reactions.
11. On or about June 3, 2006, while employed with MSN Agency, Fort Worth, Texas, and on assignment at Baylor Medical Center, Irving, Texas, Respondent misappropriated Phenergan, Hydromorphone, and Ativan belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
12. On or about June 3, 2006, while employed with MSN Agency, Fort Worth, Texas, and on assignment at Baylor Medical Center, Irving, Texas, Respondent failed to document Patient Medical Record Number 377024's vital signs. Respondent's conduct was likely to injure the patients in the subsequent care givers would rely on her documentation to administer further patient care.
13. On or about September 25, 2006, while employed with MSN Agency, Fort Worth, Texas, and on assignment at Baylor Medical Center, Irving, Texas, Respondent withdrew Morphine and Versed from the medication dispensing system for Patient Medical Record Number 360938, but failed to completely and/or accurately document the administration of the medications in the patient's Medication Administration Record (MAR) and/or Nurses Notes. 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.
14. On or about September 25, 2006, while employed with MSN Agency, Fort Worth, Texas, and on assignment at Baylor Medical Center, Irving, Texas, Respondent withdrew Morphine and Versed from the medication dispensing system for Patient Medical Record Number 360938, but failed to follow the policy and procedure for the wastage of the medications. 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),
15. On or about September 25, 2006, while employed with MSN Agency, Fort Worth, Texas,

and on assignment at Baylor Medical Center, Irving, Texas, Respondent withdrew Morphine and Versed from the medication dispensing system for Patient Medical Record Number 360938 in excess frequency and/or dosage of the physician's order. Respondent's conduct was likely to injure the patient in that the administration of Morphine and Versed in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.

16. On or about September 25, 2006, while employed with MSN Agency, Fort Worth, Texas, and on assignment at Baylor Medical Center, Irving, Texas, Respondent failed to document Patient Medical Record Number 043605's vital signs. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to administer further patient care.
17. On or about December 4, 2006, while employed with Baylor Medical Center, Irving, Texas, Respondent failed to completely and accurately document nursing care administered to Patient Medical Record Numbers 668313 and 482444 including, but not limited to, initial assessments, medication administration, reassessment and/or discharge. 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.
18. On or about December 6, 2006, while employed with Baylor Medical Center, Irving, Texas, Respondent failed to document nursing care administered to a sixteen (16) year old male patient after he was determined to be an ESI level 2. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to administer further patient care.
19. On or about December 6, 2006, while employed with Baylor Medical Center, Irving, Texas, Respondent misappropriated Morphine belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation in that she documented the administration of Morphine to a patient when she did not actually administer the medication. A specimen was obtained from the patient and it tested negative for the presence of Morphine. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
20. On August 27, 2007 Respondent underwent a Forensic Psychological Evaluation with Dr. John Lehman and a Polygraph with Dr. Donald Ramsey. Incorporating the results of the polygraph which yielded a result of "deception indicated," Dr. Lehman makes the following recommendation and conclusions:

"The assessment data would indicate that (Respondent) is likely to have a chemical dependency to prescription pain medications. She will acknowledge her issues with these drugs. She rejected recommendations that she enter treatment and/or TPAPN. She also failed the polygraph over areas significant to the inquiry. I believe her behaviors put patients

at risk. I would recommend that her license be suspended."

21. On June 4, 2008, Dr. Lehman again had an opportunity to discuss his evaluation with Respondent. He observed that Respondent would be well served to engage in professional counseling to address her somatic issues and her depression. Further, based on Respondent's representation of her abstention of all mood altering prescriptions over the last year, that if Respondent submitted to required random uranalysis screening along with required participation in professional counseling, the Board may wish to allow continued practice without a period of enforced suspension.
22. 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.
3. The evidence received is sufficient to prove a violation of Section 301.452 (b)(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE § 217.11 (1)(B)(C)(D), and 22 TEX. ADMIN. CODE §217.12 (1)(A)(4),(6)(G)(H),(10)(A)(B)(C)(D) & (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 665868, heretofore issued to LARRIETTA LADONNA JONES, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 665868, previously issued to LARRIETTA LADONNA JONES, to practice professional nursing in Texas is hereby SUSPENDED for a period of three (3) years with the suspension STAYED and Respondent is hereby placed on PROBATION for the length of probated term with the following agreed terms of probation:

IT IS FURTHER ORDERED that Permanent Certificate Number 665868 previously issued to LARRIETTA LADONNNA JONES, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice professional nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order the Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

(1) 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.

(2) RESPONDENT SHALL pay all re-registration fees, if applicable, and be issued a license to practice professional nursing in the State of Texas with the appropriate notation.

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, 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>.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). RESPONDENT SHALL pay this fine within forty-five (45) days of the suspension being stayed. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A 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 PROBATION CONDITIONS FOR THREE (3) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL

NOT APPLY TO THIS PROBATIONARY PERIOD:

(5) RESPONDENT SHALL notify all future employers in professional nursing of this Order of the Board and the probation conditions 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 professional 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 professional nurse.

(7) For the first year of employment as a Registered Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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) For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising RN 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 RN 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.

(9) RESPONDENT SHALL NOT practice as a professional nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned for one (1) year of employment as a professional nurse.

(10) RESPONDENT SHALL NOT practice as a professional nurse in any critical care area for one (1) year of employment as a professional nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(11) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a professional nurse.

(12) 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 professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for three (3) years of

employment as a professional nurse.

(13) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(14) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates

Cocaine
Ethanol
tramadol hydrochloride (Ultram)

Phencyclidine
Propoxyphene

A Board representative may appear at the RESPONDENT's place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board. Failure to report for a drug screen may be considered the same as a positive result and may result in further disciplinary action by this Board.

(15) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board to address the psychological issues identified by Dr. Lehman. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the probation period, or until RESPONDENT is dismissed from therapy.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

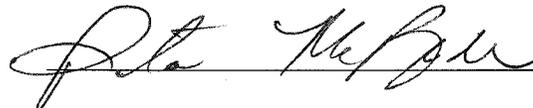
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 4th day of June, 2008.


LARRIETTA LADONNA JONES, Respondent

Sworn to and subscribed before me this 4th day of June, 2008.

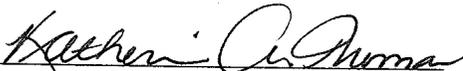
SEAL


Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 4th day of June, 2008, by LARRIETTA LADONNA JONES, Registered Nurse License Number 665868, and said Order is final.

Effective this 17th day of July, 2008.


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