

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 166818
ISSUED TO
LEIGH ERICA HARRIS

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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. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Leigh Erica Harris
1295 CR 4849
Timpson, Texas 75975

During open meeting held in Austin, Texas, on August 12, 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 166818, previously issued to LEIGH ERICA HARRIS, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 166818, previously issued to LEIGH ERICA HARRIS, 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 12th day of August, 2008.

TEXAS BOARD OF NURSING

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

Re: Permanent Certificate Number 166818
Issued to LEIGH ERICA HARRIS
DEFAULT ORDER -REVOKE

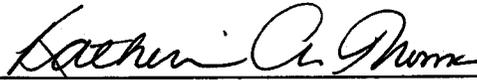
CERTIFICATE OF SERVICE

I hereby certify that on the 15 day of August, 20 08, 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):

LEIGH ERICA HARRIS
1295 CR 4849
Timpson, Texas 75975

LEIGH ERICA HARRIS
773 Francis Loop, Apt 27
Garrison, Texas 75946-2615

BY:



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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 166818, Issued to §
LEIGH ERICA HARRIS, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LEIGH ERICA HARRIS, is a Vocational Nurse holding license number 166818, 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 February 3, 2006, while employed with Garrison Nursing Home, Garrison, Texas, Respondent failed to adequately assess Resident Number 480000094 after the resident was found laying on the floor on her left side in front of the bedside commode. Although Respondent documented in a late entry three (3) days later that she assessed the resident after the fall and found that the resident had normal ranges of motion to her upper extremities, within ten (10) hours after the fall the resident complained of not being able to lift her arm, and after being transferred to the emergency department of a local acute care facility for evaluation, it was determined that the resident had suffered a fracture of her left humerus. Respondent's conduct was likely to injure the resident from possible complications due to an untreated fracture, including pain, internal bleeding, pulmonary embolism, and/or demise.

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)(B)&(2)(A) and 217.12(1)(B)&(4).

CHARGE II.

On or about February 3, 2006, while employed with Garrison Nursing Home, Garrison, Texas, Respondent failed to report to the physician and on-coming nurse that Resident Number 480000094 had been found laying on the floor on her left side after having apparently fallen, as required. Within ten (10) hours after the fall, the resident complained of not being able to lift her arm, and after a subsequent nurse notified the physician, the resident was transferred to the emergency department of a local acute care facility for evaluation, where it was determined that the resident had suffered a fracture of her left humerus. Respondent's conduct may have been deceptive, denied the physician information necessary to make appropriate decisions regarding the resident's medical care, and was likely to injure the resident from complications due to delayed treatment of a possible fracture, including pain, internal bleeding, pulmonary embolism, and/or demise.

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)(B),(1)(D),(1)(P)&(2)(A) and 217.12(1)(B)&(4).

CHARGE III.

On or about October 3, 2007, while employed with Garrison Nursing Home, Garrison, Texas, Respondent failed to administer and/or document administration of medications to residents, as follows:

Time	Resident	Medication	Medication Administration Record
3:00 pm	650000002	Tylenol 500 mg orally	No documentation
3:00 pm	520000003	Salonpas topical patch	No documentation
3:00 pm	620000006	Darvocet N 100 mg orally	No documentation
4:00 pm	520000099	Insulin Novolin R 14 Units subcutaneously	No documentation
4:30 pm	570000002	Insulin Novolin 70/30 45 Units subcutaneously	No documentation
4:30 pm	570000002	Doxycycline 20 mg orally	No documentation
5:00 pm	620000006	Sodium chloride nasal spray	No documentation
6:00 pm	650000002	Galantamine 8 mg orally	No documentation
6:00 pm	620000006	Megace 40 mg orally	No documentation
8:00 pm	630000004	Toprol XL 25 mg orally	No documentation
8:00 pm	630000004	Tylenol ES 500 mg 2 tabs orally	No documentation
8:00 pm	630000004	Warfarin 4 mg orally	No documentation
8:00 pm	630000004	Colace 100 mg orally	No documentation
8:00 pm	630000004	Micro-K 70 meq orally	No documentation
8:00 pm	520000003	Bethanechol 5 mg orally	No documentation
8:00 pm	520000003	Hydrocodone APAP 7.5/325 orally	No documentation
8:00 pm	520000003	Remeron Soltab 15 mg orally	No documentation
8:00 pm	520000003	Ranitidine 150 mg orally	No documentation
8:00 pm	520000003	Propranolol 10 mg orally	No documentation
8:00 pm	520000003	Trazodone 100 mg orally	No documentation
8:00 pm	520000003	Olopatadine 0.1% one drop both eyes	No documentation
8:00 pm	570000002	Olopatadine one drop both eyes	No documentation
8:00 pm	570000002	Refresh eye drops one drop both eyes	No documentation
8:00 pm	580000007	Mucinex 200 mg orally	No documentation
8:00 pm	580000007	Advair 250-50mcg inhaler	No documentation
8:00 pm	580000007	Seroquel 100 mg orally	No documentation
8:00 pm	580000007	Docusate sodium 100 mg orally	No documentation
8:00 pm	580000007	Magnesium chloride 64 mg orally	No documentation
8:00 pm	580000004	Darvocet N 100/500 orally	No documentation

Time	Resident	Medication	Medication Administration Record
8:00 pm	5800004	Lamotrigine 150 mg orally	No documentation
8:00 pm	54000005	Prilosec 20 mg orally	No documentation
8:00 pm	54000005	Hydroxyzine 12.5 mg orally	No documentation
8:00 pm	54000005	Norco 7.5/325 orally	No documentation
9:00 pm	570000002	Miralax one capful orally	No documentation
9:00 pm	57000007	Cyproheptadine 4 mg orally	No documentation
9:00 pm	650000002	Micro-K 8 meq orally	No documentation
9:00 pm	650000002	Senna two tabs orally	No documentation
9:00 pm	650000002	Nemantine 10 mg orally	No documentation
9:00 pm	62000006	Sodium chloride nasal spray	No documentation
9:00 pm	62000006	Darvocet N 100 mg orally	No documentation
9:00 pm	62000006	Citracal + D one tab orally	No documentation
9:00 pm	62000006	Celexa 15 mg orally	No documentation
9:00 pm	520000099	Lantus Insulin 48 Units subcutaneously	No documentation
9:00 pm	520000099	Coumadin 2.5 mg orally	No documentation
9:00 pm	520000099	Coreg 3.125 mg orally	No documentation
9:00 pm	520000099	Ativan 0.5 mg orally	No documentation
9:00 pm	520000099	Namenda 10 mg orally	No documentation
9:00 pm	54000004	Resource 2.0 2 oz orally	No documentation
9:00 pm	54000004	Singulair 10 mg orally	No documentation
9:00 pm	54000004	Neurontin 300 mg orally	No documentation
9:00 pm	54000004	Seroquel 100 mg orally	No documentation
9:00 pm	54000004	Vitamin E 400 U one capsule orally	No documentation
9:00 pm	54000004	Nasonex 50 mcg two nasal puffs	No documentation
9:00 pm	54000004	Aricept 10 mg orally	No documentation
9:00 pm	54000004	Namenda 10 mg orally	No documentation
9:00 pm	54000004	Clonidine 0.1 mg orally	No documentation

Respondent's conduct resulted in incomplete medical records and was likely to injure residents from non-efficacious care.

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)(B),(1)(C)&(1)(D) and 217.12(1)(B),(1)(C)&(4).

CHARGE IV.

On or about October 3, 2007, while employed with Garrison Nursing Home, Garrison, Texas, Respondent accepted assignment of resident care while being unfit to practice safe nursing due to chemical impairment and/or physical condition in that she was observed falling asleep during change of shift report. When later asked to submit to a drug screen, Respondent refused, stating that she would not pass because she had been around people smoking marijuana.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§ 217.11(1)(T) and 217.12(1)(A),(1)(B),(1)(E),(4),(5)&(10)(A).

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).

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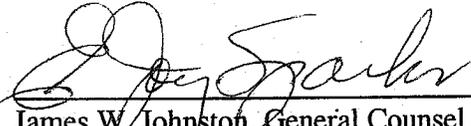
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, and for Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

Filed this 5th day of June, 2008.



TEXAS BOARD OF NURSING


James W. Johnston, General Counsel

Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

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