



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 Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 721752 §
issued to KELLY RENEE GRIFFITH § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that KELLY RENEE GRIFFITH, Registered Nurse License Number 721752, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on August 26, 2008, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Joanne P. Hopkins, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; John Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Amy Grissom, RN, Investigator; Jennifer Ellis, RN, Investigator; Erin Meneffee, Investigator; and J. L. Skylar Caddell, RN,C, Lead Investigator.

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 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 Baccalaureate Degree in Nursing from Wright State University, Dayton, Ohio, on June 1, 2001. Respondent was licensed to practice professional nursing in the State of Ohio on September 5, 2001, and was licensed to practice professional nursing in the State of Texas on October 31, 2005.

5. Respondent's professional nursing employment history includes:

9/2001 - 6/2004	Clinical Nurse	Miami Valley Hospital Dayton, Ohio
7/2004	Unknown	
8/2004 - 6/2008	Clinical Nurse, Neonatal Intensive Care Unit (NICU)	CHRISTUS Schumpert Shreveport, Louisiana
10/2005 - 6/2008	Clinical Nurse, NICU	Good Shepherd Medical Center Longview, Texas
7/2008 - Present	Not employed in nursing	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Clinical Nurse in the NICU with Good Shepherd Medical Center, Longview, Texas, and had been in this position for two (2) years and one (1) month.
7. On or about November 25, 2007, while employed with Good Shepherd Medical Center, Longview, Texas, Respondent failed to correctly verify the details of the dosage calculation of another RN regarding the administration of Morphine to Patient 460926 and incorrectly documented that the dosage was correct, as required by the facility's policy. As a result, an error in the dosage calculation of the other RN was not detected and the other RN administered to the patient, a 28 week old premature infant that weighed 2.75 pounds, an excessive dose of Morphine ten (10) times the dosage intended by the physician. Shortly thereafter, the patient required intubation, administration of narcotic reversal agents, and respiratory support. Respondent's conduct unnecessarily exposed the infant to a risk of harm, including possible demise due to respiratory depression.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that a Travel RN was actually assigned to care for the patient, and that:

The Travel RN "...was unable to obtain IV access needed for medication and TPN administration. Dr. Chen (one of the two neonatologists that staff the NICU) was notified and came in to place the central line. He decided to put in a femoral line which was an uncommon procedure for the NICU. As the charge nurse was in the nursery, I started serving as the primary resource nurse for Dr. Chen by obtaining supplies while continuing to care for my own two acute patients. Dr. Chen gave a verbal order to (the Travel RN) for morphine for sedation for the procedure. Morphine is not carried in the unit so I instructed (the Travel RN) to write the order and scan it to Pharmacy. He told me he was unfamiliar with writing orders as he had not had to write them at his previous workplace, so I assisted him. (The Travel RN) wrote: 'morphine .1mg per/kg stat IM x 2 weight 1343g (dose 1.3 mg x 2) VOR Dr. Chen/(the Travel RN).' Although occasionally I see this, since a verbal order is to be written as issued by the physician, (the Travel Nurse's) order should not have included a

calculated dosage since that was not part of Dr. Chen's order. I did not tell him to delete the dosage calculation, though, and mentally calculated the dosage (my calculator was at my patients' bedsides), but unfortunately was also incorrect. I do not recall seeing him use a calculator and do not know how he calculated the dosage. My recollection is that we were all just trying to get this order to the pharmacy as quickly as possible. Also, this is the first (and last) time morphine had ever been ordered on an infant in my three (3) years of NICU experience so I was not alarmed by the amount of morphine that resulted from the incorrect dosage calculation. (The Travel Nurse) scanned the order to Pharmacy and after about 15 minutes received the drug from the pharmacy technician. (The Travel Nurse) drew up the medication and then I verified that the correct volume of morphine had been drawn into the syringe (2mg/ml- 0.65 ml for 1.3 mg) by (the Travel Nurse).

I reported the medication error on the GSNnet on an occurrence report before leaving my shift and participated in the root cause analysis which followed. As a result of the analysis, several interventions or resolutions were identified to help prevent this occurrence from happening again:

- Pharmacy Department to provide NICU with emergency drug calculation tables with weight-based information;
- Information Systems to establish a maximum weight alert for NICU patients;
- No acceptance of verbal orders by NICU except in true emergencies;
- Reinforcement of policy to double check all medications before administration; and
- Smart pumps purchased for NICU with standardized concentration agreed on by neonatologists and programmed by clinical pharmacists."

Respondent states that the verification (as stated in the policy and procedures) is to be done when the medication is in hand and ready to be administered, as compared to her reviewing (the Travel Nurse's) dosage calculation because he asked for assistance in how to write the order. Respondent states that she regrets not having a calculator, and not having (the Travel Nurse) delete his dosage calculation all together. Respondent states that the dosage calculation is to be done by the Pharmacy and perhaps if the dosage calculation had not been written as part of the order, the Pharmacy might have calculated the dosage properly and she might have recalculated the dosage herself when the morphine was received from the pharmacy.

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)(B)&(4).

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 721752, heretofore issued to KELLY RENEE GRIFFITH, 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 a WARNING WITH STIPULATIONS, 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 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 compact states.

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 Texas Board of Nursing 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 KELLY RENEE GRIFFITH, to the office of the Texas Board of Nursing within ten (10) days from 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 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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, 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/disciplinary action>.

(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 resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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/disciplinary action](http://www.bon.state.tx.us/disciplinary_action).*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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/disciplinary.action>

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED 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 STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) 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 STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations 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 present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations 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 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 nurse.

(7) 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 nursing. These reports shall be completed by the Registered Nurse that supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

(8) Should the Colorado Board of Nursing issue an Order in this matter, RESPONDENT SHALL fully comply with all the terms and conditions of said Order issued to RESPONDENT by the Colorado Board of Nursing, if any. RESPONDENT SHALL cause the Colorado Board of Nursing to submit written verification of Respondent's successful completion of that Order and/or any non-compliance thereof. Evidence of compliance/completion with the terms of the Order of the Colorado State Board of Nursing, if any, will be accepted as evidence of compliance/completion of the terms of this Order issued by the Texas Board of Nursing.

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

Signed this 26 day of August, 2008.

Kelly Renee Griffith
KELLY RENEE GRIFFITH, Respondent

Sworn to and subscribed before me this 26th day of August, 2008.



Noemi Leal

Notary Public in and for the State of TX

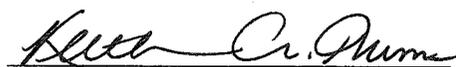
Approved as to form and substance.

Joanne P. Hopkins
Joanne P. Hopkins, Attorney for Respondent

Signed this 26th day of August, 2008.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 26th day of August, 2008, by KELLY RENEE GRIFFITH, Registered Nurse License Number 721752, and said Order is final.

Effective this 9th day of September, 2008.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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