

BEFORE 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.
Katherine A. Thomas
Executive Director of the Board

In the Matter of Registered Nurse § AGREED
License Number 677664 §
issued to BETTY LOUISE VALE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BETTY LOUISE VALE, Registered Nurse License Number 677664 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on June 20, 2008, 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 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 Baccalaureate Degree in Nursing from The University of Texas at Tyler, Tyler, Texas, on May 1, 2001. Respondent was licensed to practice professional nursing in the State of Texas on June 12, 2001.
5. Respondent's professional nursing employment history includes:

6/01 - 5/03	Staff Nurse Medical/ Surgical Unit	East Texas Medical Center Tyler, Texas
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Respondent's professional nursing employment history continued:

6/01 - 5/06	Quality Assurance/ Assistant Director of Nurses	Greater Hospice of Texas Longview, Texas
6/06 - Present	Director of Nurses	Texas Home Health Hospice Longview, Texas

6. At the time of the initial incident in Finding of Fact Seven (7), Respondent was employed as Assistant Director of Nurses with Greater Hospice of Texas, Longview, Texas, and had been in this position for one (1) year and four (4) months.
7. On or about October 2002 through June 2006, while employed as Assistant Director of Nurses with Greater Hospice of Texas, Longview, Texas, Respondent maintained and allowed nurses to use "Emergency Kits," which contained unlabeled controlled substances, including Morphine and Ativan (an anti-anxiety medication), without having an individual patient specific prescription and/or triplicate prescription, as required by State law. Respondent's conduct placed the facility in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
8. On or about June 2006, while employed as Assistant Director of Nurses with Greater Hospice of Texas, Longview, Texas, Respondent failed to appropriately document the destruction of controlled substances, which included Morphine and Ativan, from "Emergency Kits" in that the medications destroyed were not listed separately and did not include individual quantities that were being wasted. Respondent's conduct placed the facility in violation of Chapter 481 of the Texas health and Safety Code (Controlled Substances Act).
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight(8), Respondent states that her duties included assisting the Director of Nurses by ensuring that the policies regarding "Emergency Kits" were being followed, that the double lock system was in place, and that each "Kit" was signed out appropriately. Respondent adds that she also ensured that the medications were disposed of properly.

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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)(D) and 217.12(1)(A),(1)(B),(2)&(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 677664, heretofore issued to BETTY LOUISE VALE, 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 REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *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 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 that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to BETTY LOUISE VALE to the office of the Texas Board of Nursing within ten (10) days of 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 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, 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

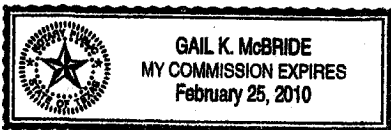
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, 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 18th day of August, 2008.

Betty Louise Vale, d
BETTY LOUISE VALE, Respondent

Sworn to and subscribed before me this 18 day of August, 2008.

SEAL



Gail K. McBride

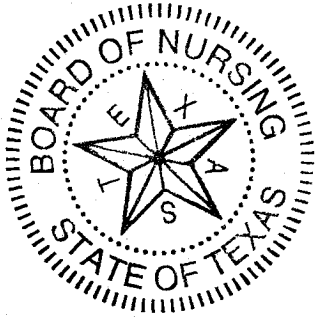
Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn R. Mackay
Taralynn Mackay, Attorney for Respondent

Signed this 2nd day of October, 2008.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 18th day of August, 2008, by BETTY LOUISE VALE, Registered Nurse License Number 677664, and said Order is final.



Effective this 13th day of October, 2008.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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