

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	§	AGREED
License Number 655307	§	
issued to ROXANA LOUISE WALDEN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ROXANA LOUISE WALDEN, Registered Nurse License Number 655307, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10),(12)&(13), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on July 28, 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 an Associate Degree in Nursing from Truman City College, Chicago, Illinois, in May 1994. Respondent was licensed to practice professional nursing in the State of Illinois in September 1994, and was licensed to practice professional nursing in the State of Texas on September 23, 1998.
5. Respondent's nursing employment history includes:

09/1994 - 12/1994	Staff Nurse	Alden-Lakeland Nursing Center Chicago, Illinois
12/1994 - 8/1996	Staff Nurse	Illinois Masonic Medical Center Chicago, Illinois

Respondent's nursing employment history continued:

9/1996	Unknown	
10/1996 - Unknown	Home Health Infusion Nurse	Coram Healthcare Mount Prospect, Illinois
11/1998 - 04/2005	Staff Nurse	Seton Healthcare Network Austin, Texas
05/2005 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Seton Healthcare Network, Austin, Texas, and had been in this position for six (6) years and two (2) months.
7. On or about January 15, 2005, while employed with Seton Healthcare Network, Seton Medical Center, Austin, Texas, Respondent lacked fitness to safely practice nursing and provide safe patient care in that she was found twice during her shift to be asleep, in the break room, while on duty and not on break. Respondent's conduct was likely to injure patients in that her condition affected her ability to recognize the signs, symptoms, or changes in patients' conditions and prevented her from being able to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care.
8. On or about April 8, 2005, while employed with Seton Healthcare Network, Seton Medical Center, Austin, Texas, Respondent failed to document wastage of excess Vicodin that she had withdrawn for Patient LR, as follows:

Date & Time	Quantity Withdrawn	Physician's Order	Medication Administration Record	Wastage
4/8/05 @ 20:28	2 tablets	Vicodin 1 - 2 tablets every 4 hours, as needed	1 tablet @ 21:00	Not documented

Respondent's conduct violated Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act), resulted in an incomplete medical record, and was likely to injure the patient in that subsequent care givers would not have accurate information on which to base their care decisions.

9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she had requested to be allowed to not come to work for the January shift, because she was tired from having not gotten enough sleep, but the night shift Team Leader insisted that she report for her shift at 7 a.m. as scheduled. Regarding the documentation of the Vicodin wastage, Respondent states that she had been ill and had not slept well the day before reporting for her 7 p.m. to 7 a.m. shift. Respondent takes full responsibility for the incident and it was an oversight which occurred due to a high stress level and being sidetracked by other patient care needs during the shift.
10. Formal Charges were filed December 12, 2007.
11. Formal Charges were mailed to Respondent at her address of record on December 13, 2007.

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), (12)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(B),(1)(D)&(1)(T) and 217.12(1)(B),(1)(C),(1)(E),(5),(10)(C),(11)(B)&(12).
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 655307, heretofore issued to ROXANA LOUISE WALDEN.

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, Revised Civil, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to 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 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 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 ROXANA LOUISE WALDEN 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/disciplinaryaction/stipscourses.html>.

(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/disciplinaryaction/stipscourses.html>.

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 nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

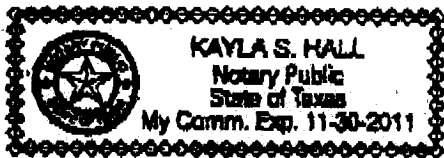
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid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

Signed this 20th day of October, 2008.
Roxana Louise Walden
ROXANA LOUISE WALDEN, Respondent

Sworn to and subscribed before me this 20th day of October, 2008.

SEAL

Kayla S. Hall
Notary Public in and for the State of Texas




Approved as to form and substance July. SMD
Jean M. DeLoach
Jean M. DeLoach, Attorney for Respondent

Signed this 20th 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 20th day of October, 2008, by ROXANA LOUISE WALDEN, Registered Nurse License Number 655307, and said Order is final.



Effective this 3rd day of November, 2008.


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