

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 197909
ISSUED TO
KENNETH B. GRUHLKE

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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 Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Kenneth B. Gruhlke
414 Jones St.
Shady Shores, TX 76208

During open meeting held in Austin, Texas, on December 9, 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.

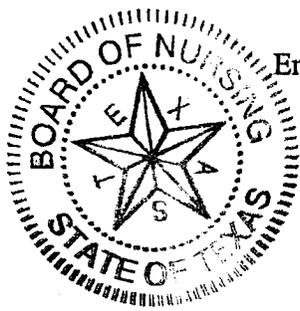
The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. 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 197909, previously issued to KENNETH B. GRUHLKE, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 197909, previously issued to KENNETH B. GRUHLKE, 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 9th day of December, 2008.

TEXAS BOARD OF NURSING

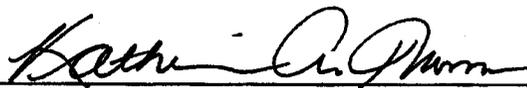
BY: Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 197909
Issued to KENNETH B. GRUHLKE
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 6 day of December, 2009, 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):

Kenneth B. Gruhlke
414 Jones St.
Shady Shores, TX 76208

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

In the Matter of Permanent License
 Number 197909, Issued to
 KENNETH B. GRUHLKE, Respondent

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BEFORE THE TEXAS
 BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KENNETH B. GRUHLKE, is a Vocational Nurse holding license number 197909, 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 11, 2006, through February 18, 2006, while employed as a Licensed Vocational Nurse with Denton Regional Medical Center, Denton, Texas, Respondent withdrew narcotics from the Medication Dispensing System (AccuDose) for patients in excess of, or without a valid physicians' orders, as follows:

Date	Patient Number	Physician's Order	Medication Dispensing System Record (AccuDose) Quantity and Time	Medication Administration Record (MAR)	Nurse's Notes	Wastage
02/16/06	G0010682 1196	Discontinued	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 03:08	2 Tab @ 03:07	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4-6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 15:34	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4-6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 18:26	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 7864	Lortab 7.5mg Tabs po q 6hrs prn pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 12:10	2 EA @ 12:12	Not documented as administered	None
02/12/06	G0010687 7864	Lortab 7.5mg Tabs po q 6hrs prn pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 14:38	Documented as administered by RN TDA @ 14:39	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 07:22	2 EA @ 08:21	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 09:36	Not documented as administered	Medicated @ 09:44	None

02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 10:57	2 EA @ 11:15	Medicated @ 10:54	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 14:00	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 15:10	2 EA @ 15:13	"Med not available @ that time" @ 15:16	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 07:16	2 EA @ 07:58	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 10:08	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 11:08	2 EA @ 11:56	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(3) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 16:39	2 EA @ 16:54	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 19:55	2 EA @ 21:09	"All c/o pain resolved by the prn pain medication that is ordered" @ 22:00	None
02/15/06	G0010688 1469	Hydromorphone Hcl 1-2mg iv PQ4-6hrs prn	(1) Hydromorphone Hcl 4mg/ml 4mg Disp Syrin @ 23:09	NO 2 mg @ 23:44	"NO IV but was given IM in Lt. Arm" @ 23:55 *Note: SW2 noted pain level of 0 @ 22:52	None
02/16/06	G0010688 1469	Lortab 7.5mg po Q 4-6hrs prn pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 00:02	2 EA @ 00:05	Medicated @ 01:13	None
02/16/06	G0010688 1469	Lortab 7.5mg po Q 4-6hrs prn pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 02:22	2 EA @ 02:22	Not documented as administered	None
02/16/06	G0010688 1469	Hydromorphone Hcl 1-2mg iv PQ4-6hrs prn	(1) Hydromorphone HCL 4mg/ml 4mg Disp Syrin @ 02:22	4mg @ 02:22	Not documented as administered	None
02/15/06	G0010688 3552	Demerol 25-75mg IV q 3 hrs prn	(2) Meperidine HCL 50mg Syringe 50mg/ml 50mg Disp Syrin @ 21:04	Not documented as administered	Not documented as administered	None
02/15/06	G0010688 3552	Demerol 25-75mg IV q 3 hrs prn	(1) Meperidine HCL 50mg Syringe 50mg/ml 50mg Disp Syrin @ 21:10	50mg @ 21:11	Not documented as administered	None

02/18/06	G0010688 8918	Lortab 7.5mg q4hrs prn as needed for pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 07:27	Documented as administered @ 08:15	Medicated @ 08:00	None
02/18/06	G0010688 8918	Lortab 7.5mg q4hrs prn as needed for pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 09:19	Documented as administered @ 09:15	Not documented as administered	None
02/18/06	G0010688 8918	Lortab 7.5mg q4hrs prn as needed for pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 11:09	Not documented as administered	"Med given but forgot to scan" @ 11:55	None
02/18/06	G0010689 3414	Oxycontin 20mg po sch every 12 hours	(2) Oxycodone HCL 20mg Tab SR12h @ 11:45	Documented as administered @ 11:42	Not documented as administered	None
02/18/06	G0010689 3414	Oxycontin 20mg po sch every 12 hours	(1) Oxycodone HCL 20mg Tab SR12h @ 17:25	Not documented as administered	Not documented as administered	None

Respondent's conduct was likely to injure the patient in that the administration of narcotics in excess of, or without a valid physicians' orders, could result in the patient suffering from adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A)&(C), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(4).

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CHARGE II.

On or about February 11, 2006, through February 18, 2006, while employed as a Licensed Vocational Nurse with Denton Regional Medical Center, Denton, Texas, Respondent withdrew narcotics from the Medication Dispensing System (AccuDose) for patients, but failed to document, or accurately document, the administration of the narcotics, including the signs, symptoms and responses to the medications administered, in the medical records for the following patients::

Date	Patient Number	Physician's Order	Medication Dispensing System Record (AccuDose) Quantity and Time	Medication Administration Record (MAR)	Nurse's Notes	Wastage
02/16/06	G0010682 1196	Morphine Sulfate 5-10mg IM PQ3h prn	(1) Morphine Sulfate 10mg Syringe 10mg/ml 10mg Disp Syrin @ 03:07	10mg @ 03:07	*Not documented as administered	None
02/16/06	G0010682 1196	Discontinued	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 03:08	2 Tab @ 03:07	*Not documented as administered	None
02/16/06	G0010682 1196	Meperidine HCL 25-75mg IV PQ3H prn	(1) Meperidine HCL 75mg Syringe 75mg/ml 75mg Disp Syrin @ 05:52	75mg @ 05:53	*Not documented as administered	None
02/16/06	G0010682 1196	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ3-4H prn	(1) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 05:52	1 EA @ 05:53	*Not documented as administered	None
02/16/06	G0010682 1196	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ3-4H prn	(1) Hydrocodone Bitartrate/APAP 7.5-500mg Tab 06:05	NO 1 EA @ 06:04	"Pt requested another pain pill for the ordered dose of 2" @ 06:04	None
02/11/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 08:07	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 10:57	2 Tabs @ 11:10	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 12:39	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 15:34	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 16:04	2 EA @ 16:16	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 18:26	Not documented as administered	Not documented as administered	None

02/11/06	G0010687 5795	Diazepam 10mg TID	(1) Diazepam 5mg 5mg Tab @ 19:40	2 Tabs @ 20:51	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 19:40	2 EA @ 20:51	Not documented as administered	None
02/11/06	G0010687 5795	Diazepam 10mg TID	(1) Diazepam 5mg 5mg Tab @ 19:40	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 07:16	2 Tabs @ 07:30	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 07:56	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 12:46	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 14:39	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 16:40	2 Tabs @ 16:47	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 18:15	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Diazepam 10mg TID	(2) Diazepam 5mg 5mg Tab @ 19:55	Documented as administered @ 20:57	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 19:55	2 Tabs @ 20:57	"C/O Pain releived with prn pain meds" @ 21:59	None
02/12/06	G0010687 7864	Lortab 7.5mg Tabs po q 6hrs prn pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 12:10	2 EA @ 12:12	Not documented as administered	None
02/12/06	G0010687 7864	Lortab 7.5mg Tabs po q 6hrs prn pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 14:38	Documented as administered by RN TDA @ 14:39	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 07:22	2 EA @ 08:21	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 09:36	Not documented as administered	Medicated @ 09:44	None

02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 14:00	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 15:10	2 EA @ 15:13	"Med not available @ that time" @ 15:16	None
02/11/06	G0010687 8690	Benedryl 25mg PO QID PRN for itching/rash	(2) Diphenhydramine HCL 25mg Capsule @ 19:39	Documented as administered @ 20:44	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 19:39	2 EA @ 20:44	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 07:16	2 EA @ 07:58	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 10:08	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 11:08	2 EA @ 11:56	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(3) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 16:39	2 EA @ 16:54	Not documented as administered	None
02/12/06	G0010687 8690	Benedryl 25mg PO QID PRN for itching/rash	(1) Diphenhydramine HCL 25mg Capsule @ 19:54	Documented as administered at 21:09	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 19:55	2 EA @ 21:09	"All c/o pain resolved by the prn pain medication that is ordered" @ 22:00	None
02/15/06	G0010688 1469	Hydromorphone Hcl 1-2mg iv PQ4-6hrs prn	(1) Hydromorphone Hcl 4mg/ml 4mg Disp Syrin @ 23:09	NO 2 mg @ 23:44	"NO IV but was given IM in Lt. Arm" @ 23:55 *Note: SW2 noted pain level of 0 @ 22:52	None
02/16/06	G0010688 1469	Lortab 7.5mg po Q 4-6hrs prn pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 02:22	2 EA @ 02:22	Not documented as administered	None
02/16/06	G0010688 1469	Hydromorphone Hcl 1-2mg iv PQ4-6hrs prn	(1) Hydromorphone HCL 4mg/ml 4mg Disp Syrin @ 02:22	4mg @ 02:22	Not documented as administered	None

02/16/06	G0010688 1469	Lortab 7.5mg po Q 4-6hrs prn pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 06:23	NO 2 EA @ 06:22	"No IV access" @ 06:19 and "Medication given but forgot to scan before giving" @ 06:23	None
02/18/06	G0010688 1988	Oxycodone/APAP 1 EA po PQ4hrs prn	(1) Oxycodone/APAP 5/325mg Tab @ 15:31	4mg @ 16:00	Not documented as administered	None
02/18/06	G0010688 1988	Morphine Sulfate 204mg IV PQ1hr prn	(2) Morphine Sulfate 4mg Syringe 4mg/ml 4mg Disp Syrin @ 15:31	4mg @ 16:00	Not documented as administered	None
02/18/06	G0010688 1988	Morphine Sulfate 204mg IV PQ1hr prn	(1) Morphine Sulfate 4mg Syringe 4mg/ml 4mg Disp Syrin @ 16:45	NO 4mg @ 17:10	"Med given but forgot to scan. Given IM due to no IV" @ 17:30	None
02/15/06	G0010688 3552	Demerol 25-75mg IV q 3 hrs prn	(2) Meperidine HCL 50mg Syringe 50mg/ml 50mg Disp Syrin @ 21:04	Not documented as administered	Not documented as administered	None
02/15/06	G0010688 3552	Lortab 5-10mg, 1- 2 po q 4-6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 21:05	2 Tabs @ 21:11	Not documented as administered	None
02/15/06	G0010688 3552	Demerol 25-75mg IV q 3 hrs prn	(1) Meperidine HCL 50mg Syringe 50mg/ml 50mg Disp Syrin @ 21:10	50mg @ 21:11	Not documented as administered	None
02/18/06	G0010688 8918	Lortab 7.5mg q4hrs prn as needed for pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 09:19	Documented as administered @ 09:15	Not documented as administered	None
02/18/06	G0010688 8918	Lortab 7.5mg q4hrs prn as needed for pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 11:09	Not documented as administered	"Med given but forgot to scan" @ 11:55	None
02/18/06	G0010688 8918	Lortab 7.5mg q4hrs prn as needed for pain	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 13:17	Documented as administered @ 13:15	Not documented as administered	None
02/18/06	G0010688 8982	Percocet Tablet 1 ea oral prn q 4- 6hrs	(1) Oxycodone/APAP 5/325mg Tab @ 15:32	Documented as administered @ 15:49	Not documented as administered	None
02/18/06	G0010688 8982	Demerol 25mg Intraven. Prn q 4hrs	(1) Meperidine HCL 25mg Syringe 25mg/ml 25mg Disp Syrin @ 15:32	Documented as administered @ 15:49	Not documented as administered	None
02/18/06	G0010689 3414	Hydrocodone/AP AP 7.5mg/500mg 2 Tab po prn every 4 hrs as needed	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 11:17	Documented as administered @ 11:42	Not documented as administered	None
02/18/06	G0010689 3414	Oxycontin 20mg po sch every 12 hours	(2) Oxycodone HCL 20mg Tab SR12h @ 11:45	Documented as administered @ 11:42	Not documented as administered	None
02/18/06	G0010689 3414	Oxycontin 20mg po sch every 12 hours	(1) Oxycodone HCL 20mg Tab SR12h @ 17:25	Not documented as administered	Not documented as administered	None

02/18/06	G0010689 3414	Hydrocodone/AP AP 7.5mg/500mg 2 Tab po prn every 4 hrs as needed	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 17:25	Not documented as administered	Not documented as administered	None
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* Respondent states "...a few c/o pain which were medicated with the prn oral and iv meds orderd. All pain was relieved with this med..." @ 06:36

Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A), (B)&(D)(iv), and 22 TEX. ADMIN. CODE §217.12(1)(A),(4)&(11)(B).

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CHARGE III.

On or about February 11, 2006, through February 18, 2006, while employed as a Licensed Vocational Nurse with Denton Regional Medical Center, Denton, Texas, Respondent withdrew narcotics from the Medication Dispensing System (AccuDose) for patients, but failed to properly waste unused portions, if any, of the medication, as follows:

Date	Patient Number	Physician's Order	Medication Dispensing System Record (AccuDose) Quantity and Time	Medication Administration Record (MAR)	Nurse's Notes	Wastage
02/11/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 08:07	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 12:39	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 15:34	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 18:26	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 07:56	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 12:46	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 14:39	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 18:15	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 14:00	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 10:08	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(3) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 16:39	2 EA @ 16:54	Not documented as administered	None

02/15/06	G0010688 3552	Demerol 25-75mg IV q 3 hrs prn	(2) Meperidine HCL 50mg Syringe 50mg/ml 50mg Disp Syrin @ 21:04	Not documented as administered	Not documented as administered	None
02/18/06	G0010689 3414	Oxycontin 20mg po sch every 12 hours	(1) Oxycodone HCL 20mg Tab SR12h @ 17:25	Not documented as administered	Not documented as administered	None
02/18/06	G0010689 3414	Hydrocodone/AP AP 7.5mg/500mg 2 Tab po prn every 4 hrs as needed	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 17:25	Not documented as administered	Not documented as administered	None

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 Substance Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A)&(C), and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(10)(C)&(11)(B).

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CHARGE IV.

On or about February 11, 2006, through February 18, 2006, while employed as a Licensed Vocational Nurse with Denton Regional Medical Center, Denton, Texas, Respondent misappropriated, or failed to take precautions to prevent such misappropriation, of narcotics, as follows:

Date	Patient Number	Physician's Order	Medication Dispensing System Record (AccuDose) Quantity and Time	Medication Administration Record (MAR)	Nurse's Notes	Wastage
02/11/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 08:07	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 12:39	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 15:34	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 18:26	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 07:56	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 12:46	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 10/APAP 1-2 Tabs oral prn Q 4- 6hrs	(2) Hydrocodone Bitartrate/APAP 10-650mg Tab @ 14:39	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 5795	Hydrocodone 7.5/APAP 1-2 Tabs oral prn Q 4- 6 hrs	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 18:15	Not documented as administered	Not documented as administered	None
02/11/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 14:00	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 10:08	Not documented as administered	Not documented as administered	None
02/12/06	G0010687 8690	Hydrocodone 7.5/APAP 1-2 Tabs PO PQ4-6H PRN	(3) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 16:39	2 EA @ 16:54	Not documented as administered	None

02/15/06	G0010688 3552	Demerol 25-75mg IV q 3 hrs prn	(2) Meperidine HCL 50mg Syringe 50mg/ml 50mg Disp Syrin @ 21:04	Not documented as administered	Not documented as administered	None
02/18/06	G0010689 3414	Oxycontin 20mg po sch every 12 hours	(1) Oxycodone HCL 20mg Tab SR12h @ 17:25	Not documented as administered	Not documented as administered	None
02/18/06	G0010689 3414	Hydrocodone/AP AP 7.5mg/500mg 2 Tab po prn every 4 hrs as needed	(2) Hydrocodone Bitartrate/APAP 7.5-500mg Tab @ 17:25	Not documented as administered	Not documented as administered	None

Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A), and 22 TEX. ADMIN. CODE §217.12(1)(B),(6)(G)&(11)(B).

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CHARGE V.

On or about February 18, 2006, while employed as a Licensed Vocational Nurse at Denton Regional Medical Center, Denton, Texas, Respondent engaged in the intemperate use of Meperidine, Meperidine Metabolite, Clonazepam Metabolite, Oxazepam, Nortriptyline, and Dihydrocodeine, in that he produced a specimen for a reasonable suspicion/cause drug screen which resulted positive for Meperidine, Meperidine Metabolite, Clonazepam Metabolite, Oxazepam, Nortriptyline, and Dihydrocodeine. Possession of Meperidine, Meperidine Metabolite, Clonazepam Metabolite, Oxazepam, and Dihydrocodeine without a lawful prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). Possession of Nortriptyline without a lawful prescription is prohibited by Chapter 483 of the Texas Health and Safety Code (Dangerous Drugs Act). The use of Meperidine, Meperidine Metabolite, Clonazepam Metabolite, Oxazepam, Nortriptyline, and Dihydrocodeine by a Licensed Vocational 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, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A)&(D)&(11)(B).

CHARGE VI.

On or about April 25, 2006, while employed as a Licensed Vocational Nurse at Denton Regional Medical Center, Denton, Texas, Respondent engaged in the intemperate use of Fluoxetine and Dihydrocodeine in that he produced a specimen for a reasonable suspicion/cause drug screen which resulted positive for Fluoxetine and Dihydrocodeine. Possession of Dihydrocodeine without a lawful prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). Possession of Fluoxetine without a lawful prescription is prohibited by Chapter 483 of the Texas Health and Safety Code (Dangerous Drugs Act). The use of Dihydrocodeine by a Licensed Vocational 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, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A)&(D)&(11)(B).

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CHARGE VII.

On or about June 21, 2006, while employed as a Licensed Vocational Nurse at Amberwood Care Center, Celina, Texas, Respondent engaged in the intemperate use of Propoxyphene in that he produced a specimen for a random drug screen which resulted positive for Propoxyphene. Additionally, Respondent admitted to the use of Propoxyphene. Possession of Propoxyphene without a lawful prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Propoxyphene by a Licensed Vocational 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, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A)&(D)&(11)(B).

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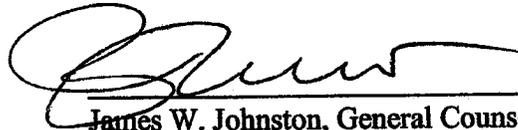
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative 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 (\$1,200.00).

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, Lying and Falsification, and Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

Filed this 20th day of October, 2008.

TEXAS BOARD OF NURSING



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Board Certified - Administrative Law
Texas Board of Legal Specialization
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Attachments:

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