BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of	§	AGREED
Registered Nurse License Number 734594	§	
issued to LORRI CAROL MORALES	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LORRI CAROL MORALES, Registered Nurse License Number 734594, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(1),(3)&(10) and 301.453, Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 21, 2014, subject to ratification by the Board.

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(s).

2. Respondent waived informal proceedings, 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 Texas Tech University, Lubbock, Texas, on August 15, 2006. Respondent was licensed to practice professional nursing in the State of Texas on October 12, 2006.

BOARD OF NURSING TEXAS
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.
Executive Director of the Board

5. Respondent's nursing employment history includes:

01/2005 - 10/2007	GN/RN	Covenant Medical Center Lubbock, Texas
08/2007 - 06/2008	RN	University Medical Center Lubbock, Texas
03/2008 - 04/2010	RN	Canyon Lakes Residential Lubbock, Texas
05/2008 - Present	RN	Lubbock Heart Hospital Lubbock, Texas
04/2010 - Present	RN	MHMR Lubbock, Texas
09/2010 - 04/2011	RN	Lockney Health & Rehabilitation Lubbock, Texas
05/2011 - Present	RN	Brownfield Regional Medical Center Brownfield, Texas

6. On or about March 8, 2011, Respondent's license to practice professional nursing was suspended with the suspension stayed and placed on probation by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusion of Law, and Order of the Board, dated March 8, 2011, is attached and incorporated, by reference, as a part of this Order.

7. On or about September 7, 2010, Respondent submitted an Application for Employment to Lockney Health and Rehabilitation, Lockney, Texas, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you ever been discharged from or asked to leave employment?" On or about June 2, 2008, Respondent was terminated from University Medical Center, Lubbock, Texas, and on or about September 25, 2008, Respondent was terminated from Beyond Faith Homecare, Lubbock, Texas. Respondent's conduct was likely to deceive Lockney Health and Rehabilitation, Lockney, Texas, and may have affected the decision to offer employment.

8. On or about April 5, 2011, while Employed as a Registered Nurse with Lockney Health and Rehabilitation Center, Lockney, Texas, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on March 8, 2011. Respondent's non-compliance is the result of her failure to comply with Stipulation Number Seven (7) of the Order, which reads:

(7) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the Probation Conditions 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 was employed with Lockney Health and Rehabilitation Center, Lockney, Texas, on September 16, 2010. The Order was issued to Respondent on March 8, 2011; however, Respondent did not notify the facility of the Order. The facility discovered the issue while completing annual licensure verification on or about April 5, 2011.

9. On or about April 5, 2011, while employed as a Registered Nurse with Lockney Health and Rehabilitation Center, Lockney, Texas, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on March 8, 2011. Respondent's non-compliance is the result of her failure to comply with Stipulation Number Eight (8) of the Order, which reads:

(8) 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.

Respondent was employed with Lockney Health and Rehabilitation Center, Lockney, Texas, on September 16, 2010. The Order was issued to Respondent on March 8, 2011; however, Respondent did not notify the facility of the Order. The facility discovered the issue while completing annual licensure verification on or about April 5, 2011.

10. On or about April 5, 2011, while employed as a Registered Nurse with Lockney Health and Rehabilitation Center, Lockney, Texas, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on March 8, 2011. Respondent's non-compliance is the result of her failure to comply with Stipulation Number Nine (9) of the Order, which reads:

(9) For the duration of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises...

Respondent was employed with Lockney Health and Rehabilitation Center, Lockney, Texas, on September 16, 2010. The Order was issued to Respondent on March 8, 2011, however, the facility was not notified of the existence of the Order until April 5, 2011, when it discovered the issue while completing annual license verification. As a result, Respondent was not supervised from March 8, 2011 through April 5, 2011 in accordance with the terms of the Order.

11. On or about May 30, 2013, Respondent entered a plea of "Guilty" to THEFT $500-$1500, a Class A misdemeanor offense committed on November 11, 2010, in the County Court at Law No. 1, Lubbock County, Texas, under Cause No. 2013-474497. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and she was placed on probation for a period of twelve (12) months. Additionally, she was ordered to pay court costs and restitution.

12. Formal Charges were filed on September 12, 2013

13. Charges were mailed to Respondent on September 13, 2013.

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 violation(s) of 22 TEX. ADMIN. CODE §217.12(11)(B)&(13).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1),(3)&(10), Texas Occupations Code, to take disciplinary action against, Registered Nurse License Number 734594, heretofore issued to LORRI CAROL MORALES, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that , Registered Nurse License Number 734594, previously issued to LORRI CAROL MORALES, to practice nursing in Texas is/are hereby SUSPENDED for a period of one (1) year with the suspension STAYED and Respondent is hereby placed on PROBATION for one (1) year with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this order the Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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 and ORDERED that the sanction and conditions of this Order SHALL supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.

(1) RESPONDENT SHALL comply in all respects with the Nursing Practice Act, 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.

(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 <u>not</u> 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) 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.texas.gov/compliance.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.texas.gov/compliance.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of one thousand dollars ($1,000.00). RESPONDENT SHALL pay this fine within ninety (90) days of entry of this Order . Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A 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 PROBATION CONDITIONS FOR ONE (1) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY 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) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) 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.

(6) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health

agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) For the remainder of the stipulation/probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) 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 nurse who 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(s) of employment as a nurse.

(9) IT IS FURTHER AGREED, SHOULD RESPONDENT be convicted of or receive a deferred order for the offense(s) as outlined in Finding of Fact Number ELEVEN (11), said judicial action will result in further disciplinary action, up to and including Revocation of Respondent's license(s) to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 violation(s) 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 1st day of April, 2014.

Lorri Carol Morales

LORRI CAROL MORALES, Respondent

Sworn to and subscribed before me this 1st day of April, 2014.

SEAL

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 April, 2014.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 1st day of April, 2014, by LORRI CAROL MORALES, Registered Nurse License Number 734594, and said Order is final.

Effective this 13th day of May, 2014.

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