



Houston, Texas

05/2017-Unknown Registered Nurse

MD Anderson Cancer Center  
Houston, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Houston Methodist Hospital, Houston, Texas, and had been in that position for four (4) months.
7. On or about March 14, 2017, while employed as a Registered Nurse with Houston Methodist Hospital, Houston, Texas, Respondent improperly administered sodium bicarbonate to Patient Number 003283728, in that Respondent emptied a 100 mL bag of normal saline and injected two (2) 50 mL vials into it, then administered the contents of the bag intravenously using an infusion pump. Additionally, Respondent assessed the patient's IV location and noted swelling and removed the tape from the patient's hand. Respondent checked the IV line for patency and received blood flow at 5 a.m. The hand remained swollen, and Respondent reported to the oncoming shift to keep a watch on the swelling, but did not stop the IV or notify the physician prior to notifying the oncoming shift. The IV was discontinued by the oncoming shift at 10 a.m.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states the patient was very dehydrated and her IV access had been a problem. Respondent states the patient had several infiltrated IV entry points on her arms and hands. Respondent states the patient needed IV sodium bicarbonate, and he saw the physician's order for two boluses of undiluted sodium bicarbonate. Respondent states he asked the charge nurse how she thought it would be best to give the two vials of sodium bicarbonate, and she advised Respondent to sit in the patient's room and push the vials by hand. Respondent states the vials were very hard to push, and he had to empty the vials of sodium bicarbonate into another injector in order to give them IV push. Respondent states as a safer method of administration, he emptied the contents of a 100 mL bag of normal saline and injected the vials into the bag. Respondent states he did not mix the vials of sodium bicarbonate with any other fluid. Respondent states he asked another experienced nurse whether it is okay to give bolus fluid using a pump, and she said it was okay.

Respondent states he checked on the patient throughout the night and kept his computer station in front of her room so he could monitor her closely. Respondent states the sodium bicarbonate infusion was running without a problem, and the patient had no pain or swelling. Respondent states he drew blood from the patient's IV catheter for morning labs around 05:00 and noticed the swelling on her hand. Respondent states he flushed the catheter without any problems, and the patient did not seem to have any pain or discomfort. Respondent states he loosened the tape around the patient's wrist and elevated her hand. Respondent states at the end of his shift, he gave report to the same day shift nurse, and he reported on the IV issue and told her to watch the patient's hand carefully. Respondent states he knew sodium bicarbonate is a vesicant solution and should be administered through a central line, but the patient was in severe acidosis, and they had called for assistance with the IV but were unable to get help. The patient's potassium went from 5.4 to 4.9 and CO<sub>2</sub> from 14 to 19, both of which were improvements following the alkali (sodium bicarbonate) therapy.

9. Respondent provided character letters from his past and current employers and colleagues that support opinions of a dedicated and exemplary nurse.
10. Respondent completed a course in Sharpening Critical Thinking Skills on September 11, 2017, which would have been a requirement of this Order.

### 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 §217.11(1)(A),(1)(B),(1)(D),(1)(M)&(1)(P).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 907634, heretofore issued to KENAN OREN.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

### TERMS OF ORDER

#### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS, DEFERRED**, in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

## II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to 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.

Further, RESPONDENT SHALL not commit any violation of 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.* **for a period of three (3) years from the date of this Order.**

## III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

## IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that 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. Home study courses and video programs will not be approved.

- B. A Board-approved course in medication administration** with a didactic portion of not less than sixty-four (64) hours and a clinical component of not less than forty-eight (48) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. 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. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

## **V. EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse 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 period and will not count towards completion of this requirement.

- A. Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of

this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.

- B. Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. Indirect Supervision:** 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.
- D. Nursing Performance Evaluations:** 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 individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

**VI. EFFECT OF DEFERRED DISCIPLINE**

Upon successful completion of the stipulated requirements of this Order, all encumbrances will be removed from Respondent's license(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

Upon the successful completion of the required three (3) year period of deferral,

the complaint or complaints which formed the basis for this action will be dismissed and this Order will be made confidential to the same extent as a complaint filed under Section 301.466, Texas Occupations Code.

Until such time that this Order is made confidential, this Order is subject to disclosure in accordance with applicable law.

Should an additional allegation, complaint, accusation, or petition be reported or filed against Respondent prior to the time this Order is made confidential, the deferral period shall be extended until the allegation, accusation, or petition has been finally acted upon by the Board.

Should RESPONDENT commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action.

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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 violation(s) alleged herein. By my signature on this Order, I agree to the entry of this 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 2nd day of February, 2018.

Kenan Oren  
KENAN OREN, Respondent

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

Approved as to form and substance.

Joyce Stamp Lilly  
Joyce Stamp Lilly, Attorney for Respondent

Signed this 2 day of February, 2018.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for Deferred Discipline that was signed on the 2nd day of February, 20 18, by KENAN OREN, Registered Nurse License Number 907634, and said Order is final.

Effective this 13th day of March, 20 18.



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