



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.  
*Stephanie P. Martin*  
Executive Director of the Board

**In the Matter of  
Permanent Registered Nurse  
License Number 640955  
Issued to DEBORAH ROSE MARTIN,  
Respondent**

**§ BEFORE THE TEXAS  
§ BOARD OF NURSING  
§ ELIGIBILITY AND  
§ DISCIPLINARY COMMITTEE**

**ORDER OF THE BOARD**

TO: Deborah Martin  
Po Box 282  
305 Chism Street  
Devers, TX 77538

During open meeting held in Austin, Texas, on March 10, 2020, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee 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(s) to practice 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 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 § 213.16(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.

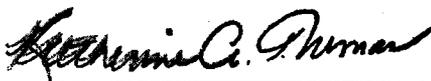
NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 640955, previously issued to DEBORAH ROSE MARTIN to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 10<sup>th</sup> day of March, 2020

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charges filed January 17, 2020

d17r(2020.02.21)

Re: Permanent Registered Nurse License Number 640955  
Issued to DEBORAH ROSE MARTIN  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11 day of March, 2020, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested,

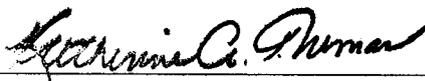
Copy Via USPS First Class Mail

Deborah Martin  
305 Chism Street  
Devers, TX 77538

Via USPS Certified Mail, Return Receipt Requested,

Copy Via USPS First Class Mail

Deborah Martin  
Po Box 282  
Devers, TX 77538

BY: 

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

In the Matter of  
Permanent Registered Nurse  
License Number 640955  
Issued to DEBORAH ROSE MARTIN,  
Respondent

§ BEFORE THE TEXAS  
§  
§  
§ BOARD OF NURSING  
§

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DEBORAH ROSE MARTIN, is a Registered Nurse holding license number 640955 which is in current 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 April 19, 2019, Respondent failed to comply with the Warning w/Stipulations Agreed Order issued to Respondent on April 19, 2018, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Four-A (IV-A) of the Eligibility Order which states, in pertinent part:

(IV-A) RESPONDENT SHALL, within one (1) year of licensure, successfully complete a course in Texas nursing jurisprudence and ethics.

A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated April 19, 2018, is attached and incorporated herein, by reference, as part of this Order.

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

#### CHARGE II.

On or about April 19, 2019, Respondent failed to comply with the Warning w/Stipulations Agreed Order issued to Respondent on April 19, 2018, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Four-B (IV-B) of the Eligibility Order which states, in pertinent part:

(IV-B) RESPONDENT SHALL, within one (1) year of licensure, successfully complete the course "Medication Administration, ".

A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated April 19, 2018, is attached and incorporated herein, by reference, as part of this Order.

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

### **CHARGE III.**

On or about April 19, 2019, Respondent failed to comply with the Warning w/ Stipulations Agreed Order issued to Respondent on April 19, 2018, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Four-C (IV-C) of the Eligibility Order which states, in pertinent part:

(IV-C) RESPONDENT SHALL, within one (1) year of licensure, successfully complete a course in "nursing documentation"

A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated April 19, 2018, is attached and incorporated herein, by reference, as part of this Order.

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

### **CHARGE IV.**

On or about April 19, 2019, Respondent failed to comply with the Warning w/ Stipulations Agreed Order issued to Respondent on April 19, 2018, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Four-D (IV-D) of the Eligibility Order which states, in pertinent part:

(IV-D) RESPONDENT SHALL, within one (1) year of licensure, successfully complete the course "Sharpening Critical Thinking Skills, ".

A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated April 19, 2018, is attached and incorporated herein, by reference, as part of this Order.

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

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

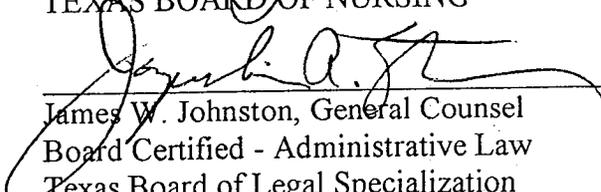
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order(s) of the Board dated November 2, 2011, and April 19, 2018.

Filed this 17<sup>th</sup> day of January, 2020.

TEXAS BOARD OF NURSING

  
James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Deputy General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 24036103

Helen Kelley, Assistant General Counsel  
State Bar No. 24086520

Skyler Landon Shafer, Assistant General Counsel  
State Bar No. 24081149

JoAnna Starr, Assistant General Counsel  
State Bar No. 24098463

Jacqueline A. Strashun, Assistant General Counsel  
State Bar No. 19358600

John Vanderford, Assistant General Counsel  
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-8657  
F: (512) 305-8101 or (512) 305-7401

Attachment(s): Order(s) of the Board dated November 2, 2011, and April 19, 2018.

D(2019.12.17)



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 § AGREED  
Registered Nurse License Number 640955 §  
issued to DEBORAH ROSE MARTIN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEBORAH ROSE MARTIN, Registered Nurse License Number 640955, 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)(10)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 29, 2017.

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 notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree from Lee College, Baytown, Texas, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on June 17, 1997.
5. Respondent's professional nursing employment history includes:

7/1997 - 2/2003                      RN                      San Jacinto Methodist Hospital  
San Jacinto, Texas

Respondent's professional nursing employment history continued:

3/2003 - 6/2004	Unknown	
7/2004 - 5/2008	RN	Bayside Community Hospital Anahuac, Texas
6/2008 - 10/2008	Unknown	
11/2008 - 10/2009	RN	Memorial Hermann Baptist Hospital of Southeast Texas Beaumont, Texas
11/2009	Unknown	
12/2009 - 2/2010	RN	Signature Health Services Baytown, Texas
3/2010 - 5/2016	Unknown	
6/2016 - 11/2016	RN	Baptist Hospital of Southeast Texas Beaumont, Texas
Unknown - Present	RN	Liberty Healthcare Liberty, Texas

6. On or about November 2, 2011, Respondent was issued the sanction of Remedial Education through an Agreed Order by the Texas Board of Nursing. A copy of the Agreed Order, including Findings of Fact, Conclusions of Law, and Order dated November 2, 2011, is attached and incorporated herein by reference, as part of this Order.
7. At the time of the initial incident, Respondent was employed as a Registered Nurse with Baptist Hospital of Southeast Texas, Beaumont, Texas, and had been in that position for four (4) months.
8. On or about October 22, 2016, while employed as a Registered Nurse with Baptist Hospital of Southeast Texas, Beaumont, Texas, Respondent documented a medication home list in the medical record of Patient Medical Record Number 3573930 that did not belong to the patient. As a result, the patient received one (1) application of Duoneb 3ml, two (2) capsules of Cymbalta 30mg, one (1) tab of Norvasc 5mg, one (1) tab of Depakote ER 250mg, and one (1) tab of Cholecalciferol 5000un in error. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that the administration of incorrect medications could have resulted in the patient suffering from adverse reactions.

9. On or about October 28, 2016, while employed as a Registered Nurse with Baptist Hospitals of Southeast Texas, Beaumont, Texas, Respondent failed to complete an assessment for Patient Medical Record Number 3577366, and she documented information which conflicted with other nursing assessments. Respondent's conduct resulted in an incomplete medical record and was likely to deceive subsequent care givers who relied on the information while providing care to the patient.
10. In response to Finding of Fact Number Nine (9), Respondent states that shift was her first night back after being off for several days, and she was probably very tired as her sleep cycle was being adjusted. Respondent adds that her severe eye infection was also starting. She called in to work after that shift.

### 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)(C)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4)&(10)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 640955, heretofore issued to DEBORAH ROSE MARTIN.
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** 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. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

## 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.

## 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 six (6) hours and a clinical component of not less than twenty-four (24) 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.
- C. A Board-approved course in nursing documentation that shall be a minimum of six (6) hours in length. The course's content shall include: 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. Home study courses and video programs will not be approved.
- D. 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/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. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- 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.

**RESTORATION OF UNENCUMBERED LICENSE(S)**

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.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. 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 28<sup>th</sup> day of February, 2018.

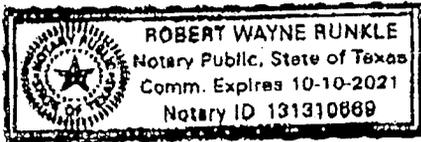
Deborah Rose Martin, RN  
DEBORAH ROSE MARTIN, Respondent

Sworn to and subscribed before me this 28 day of February, 2018.

Robert Wayne Runkle

Notary Public in and for the State of Texas

SEAL



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 28<sup>th</sup> day of February, 2018, by DEBORAH ROSE MARTIN, Registered Nurse License Number 640955, and said Order is final.

Effective this 19<sup>th</sup> day of April, 2018.



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



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

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In the Matter of Registered Nurse           §     AGREED  
License Number 640955                       §  
issued to DEBORAH ROSE MARTIN         §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEBORAH ROSE MARTIN, Registered Nurse License Number 640955, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 29, 2011, 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(s).
2. Respondent waived representation by counsel, 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 an Associate Degree in Nursing from Lee College, Baytown, Texas, on August 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas on June 17, 1997.
5. Respondent's professional nursing employment history includes:  
  
1995-1997                       Unknown

Respondent's professional nursing employment history continued:

1997-1999	RN	San Jacinto Methodist Hospital Baytown, Texas
1999-2000	RN	Northeast Houston Regional Medical Center Hospital Houston, Texas
2000-2001	RN	Emmanual Liberty Home Healthcare Liberty, Texas
2001-2003	RN	San Jacinto Methodist Hospital Baytown, Texas
2003-2004	Unknown	
2004-2008	RN	Bayside Community Hospital Anahuac, Texas
2008-2009	RN	Memorial Hermann Hospital of Southeast Texas Beaumont, Texas
12/2009-2/2010	RN	Signature Health Care Baytown, Texas
03/2010- Present	Unknown	

6. At the time of the incident, Respondent was employed as a Registered Nurse with Signature Health Care, Baytown, Texas, and had been in this position for two (2) months.
7. On or about January 25, 2010 through February 08, 2010, while employed as a home health nurse with Signature Health Services, Baytown, Texas, Respondent failed to document and submit documentation of nursing care rendered to nine (9) assigned home health patients. Respondent's conduct resulted in an incomplete medical record and was likely to deceive subsequent care givers who relied on the information while providing care to the patients. In addition, Respondent's conduct resulted in non-compliance with state and federal laws and regulations for home health licensure.
8. In response to the incidents in Findings of Fact Number Seven (7), Respondent states, "I began working at Signature Healthcare in December, 2009, along with two other RN's. We were promised a full extensive orientation regimen, but were quickly allowed to start seeing patients and submitting OASIS data before the promised 21 day orientation period was even over. Even though, I worked to the best of my ability to get my work submitted. I submitted documentation online and then the work would be returned if corrections were needed. I was not aware at this time that any job performance was not acceptable.

On or around February 8, 2010, I became sick and was unable to work. I had severe swelling of both of my lower extremities alone with 3-4 open areas that appeared to be an allergic reaction or possibly insect bites. While at home in severe pain, I documented to the best of my ability and submitted the assessment data online as expected. I was in contact with the Case Manager and my director for support in getting my work submitted. I was told not to worry about it. I received an E-mail reminding me that the work was late and that "this is reportable to the board" on or about February 10, 2010, when at that point it was too late for a warning. Please keep in mind that I was experiencing severe edema and pain. I was told not to come in to work or see patients because I might be contagious. This condition has since resolved and healed. I have never had swelling or open wounds to any part of my body prior to this illness. If you require any medical records related to this investigation, I will be glad to send them.

On the day that I returned to work I was allowed to correct my submitted work that was returned to me, then I was terminated. This was mutual agreement and I knew it was going to happen. I will not be seeking any further employment in the home health field again. I have been employed in the hospital setting for eight years prior to returning to home healthcare and that is where my skills and mind set are to be best used."

#### 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),(1)(T)&(3)(A) and 217.12(1)(A),(B),(C)&(4).
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 640955, heretofore issued to DEBORAH ROSE MARTIN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED 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

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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, 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, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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, 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) 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>.

(2) 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>.

(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

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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: *Information regarding 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, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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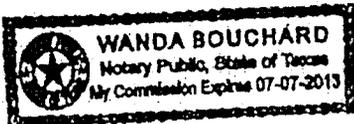
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28<sup>th</sup> day of October, 2011.  
(Deborah Rose Martin RN)  
DEBORAH ROSE MARTIN, Respondent

Sworn to and subscribed before me this 28<sup>th</sup> day of October, 2011.

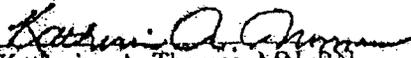
SEAL



Wanda Bouchard  
Notary Public in and for the State of Texas

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 28<sup>th</sup> day of October, 2011, by DEBORAH ROSE MARTIN, Registered Nurse License Number 640955, and said Order is final.

Effective this 2<sup>nd</sup> day of November, 2011.

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