

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of	§	ELIGIBILITY
CODZELLA ANTOINETTE WILSON	§	
APPLICANT for Eligibility for Licensure	§	AGREED ORDER

On the date entered below, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the Temporary License/Endorsement Application and supporting documents filed by CODZELLA ANTOINETTE WILSON, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452(8) *et seq.*, Texas Occupations Code.

APPLICANT waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on February 7, 2006, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about October 14, 2005, Applicant submitted a Temporary License/Endorsement Application in compliance with Section 301.260 *et seq.*, Texas Occupations Code.
2. Applicant waived representation, notice, administrative hearing, and judicial review.
3. Applicant graduated with an Associate Degree in Nursing from Mott Community College, Flint, Michigan, in May 2004.
4. Applicant completed the application for licensure by endorsement and answered "yes" to Question Number Fifteen (15), which reads as follows: *"Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license or certificate held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"*

5. On February 17, 2005, Applicant was issued a Consent Order by the State of Michigan, Department of Community Health, Bureau of Health Professions, Board of Nursing. A copy of the February 17, 2005, State of Michigan Consent Order is attached and incorporated by reference as part of this Order.
6. Applicant has sworn that with the exception of matters disclosed in connection with the Temporary License/Endorsement Application, her past behavior conforms to the Board's professional character requirements.
7. After considering the action taken by the State of Michigan, Department of Community Health, Bureau of Health Professions, Board of Nursing, along with Applicant's conduct since February 17, 2005, the Executive Director is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
8. On February 7, 2006, the Executive Director considered evidence of Applicant's behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.
9. Applicant presented sufficient evidence that she would not pose a direct threat to the health and safety of patients and the public.
10. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.
11. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.
2. Applicant has submitted a Temporary License/Endorsement Application in compliance with 301.260 *et seq.*, Texas Occupations Code.
3. The evidence in Finding of Fact Numbers Five (5), is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code, and, therefore, sufficient cause to deny licensure.

4. The action taken by another jurisdiction is grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.
5. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

IT IS THEREFORE AGREED that the application of CODZELLA ANTOINETTE WILSON, APPLICANT, is hereby CONDITIONALLY GRANTED and shall be subject to the following conditions:

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation.

(3) Upon receiving authorization to practice professional nursing in Texas, APPLICANT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while APPLICANT's license is encumbered by this Order the APPLICANT may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where APPLICANT wishes to work.

(1) APPLICANT SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in Texas nursing jurisprudence. PETITIONER SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. APPLICANT 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 APPLICANT'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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(2) APPLICANT SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in nursing ethics. APPLICANT 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) contact hours in length. In order for the course to be approved, the target

audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify APPLICANT's successful completion of the course. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past convictions and I have caused a complete and accurate criminal history to be submitted to the Board of Nurse Examiners from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction such as conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157, 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Board Rules at 213.27, 213.28, and 213.29 22 Texas Administrative Code which are incorporated by reference as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Board of Nurse Examiners.

I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Board of Nurse Examiners enter this Order.

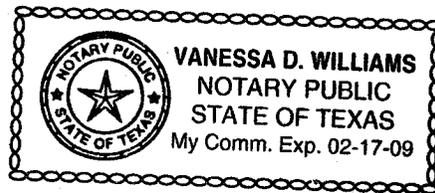
Signed this 31st day of March, 2006.

Codzella Antoinette Wilson
CODZELLA ANTOINETTE WILSON, APPLICANT

Sworn to and subscribed before me this 31st day of March, 2006

SEAL

Vanessa D. Williams
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 31st day of March, 2006, by CODZELLA ANTOINETTE WILSON, APPLICANT, for Temporary License/Endorsement Application, and said Order is final.

Entered this 5th day of April, 2006.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS



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

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF HEALTH PROFESSIONS
BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE

In the Matter of

CODZELLA ANTOINETTE WILSON, L.P.N.
License Number: 47-03-088469

File Number: 47-03-91749
CONSENT ORDER AND STIPULATION

CONSENT ORDER

WHEREAS, an Administrative Complaint was issued on August 9, 2004, charging Codzella Antoinette Wilson, L.P.N., hereafter Respondent, with having violated sections 16221(a) and 16221(b)(i) of the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; and

WHEREAS, Respondent has admitted, by Stipulation submitted herewith, that the facts alleged in the Complaint are true and constitute violations of the Public Health Code; and

WHEREAS, the Disciplinary Subcommittee of the Michigan Board of Nursing, hereafter Disciplinary Subcommittee, has reviewed the Stipulation and, based upon the matters asserted therein, agrees that the public interest is best served by resolution of the outstanding Complaint; now, therefore,

STATE OF MICHIGAN – INGHAM COUNTY
We certify that the foregoing is a true copy
of the original on file in the office of the
Department of Community Health Bureau
of Health Professions.

IT IS HEREBY FOUND that the allegations of fact and law set forth in the Complaint are true and constitute violations of sections 16221(a) and 16221(b)(i) of the Public Health Code, supra.

Accordingly,

IT IS HEREBY ORDERED that for the aforesaid violations of the Public Health Code, Respondent shall be and hereby is assessed a FINE in the amount of \$50.00 to be paid to the State of Michigan within 60 days of the effective date of this order.

IT IS FURTHER ORDERED that the fine shall be mailed to the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30185, Lansing, MI 48909. The fine shall be paid by check or money order and shall clearly display the file number **47-03-91749**.

IT IS FURTHER ORDERED that for the aforesaid violations of the Public Health Code, Respondent shall be placed on PROBATION for a period of SIX MONTHS, commencing on the effective date of this order. Reduction of the probationary period shall only occur while Respondent is employed in a capacity for which a nursing license is required and the terms of probation shall be as follows:

1. CONTINUING EDUCATION: Respondent shall submit to the Department evidence of satisfactory completion of **eight hours** of Michigan Board of Nursing (Board) approved continuing education relating to documentation. These continuing education credits shall be completed prior to the end of the probationary

period and shall not apply in computing Respondent's current continuing education requirements for license renewal. Prior approval of the course(s) shall be obtained from the Chairperson of the Disciplinary Subcommittee or the Chairperson's designee.

2. EMPLOYER REPORTS: In the event Respondent is employed as a nurse, Respondent shall immediately provide a copy of this Order and the Administrative Complaint filed in this matter dated August 9, 2004, to Respondent's employer and registered nurse supervisor, if applicable. Respondent's employer or registered nurse supervisor, if applicable, shall be knowledgeable of Respondent's history and shall file reports with the Department, as further provided herein, advising of Respondent's work performance.

In the event Respondent, at any time, fails to comply with minimal standards of acceptable and prevailing practice or appears unable to practice with reasonable skill and safety, the Department shall be **immediately** so notified by Respondent's supervisor or registered nurse supervisor.

3. EMPLOYMENT CHANGE: Respondent shall report to the Department in writing, any and all changes in Respondent's employment within 15 days of such change, if Respondent's employment change requires Respondent to have a license to practice nursing.

Respondent shall provide a copy of the within Order and Administrative Complaint dated August 9, 2004, to each successor employer and registered nurse supervisor, if applicable, if the employment requires Respondent to have a nursing license. The successor employer or registered nurse supervisor, if applicable, shall be knowledgeable of Respondent's history and shall continue to file reports with the Department advising of Respondent's work performance, as set forth above.

4. REPORT OF NON-EMPLOYMENT: If at any time Respondent is not employed as a nurse, Respondent shall file a report of non-employment with the Department within 15 days after becoming unemployed. If Respondent subsequently returns to practice as a

nurse, Respondent shall notify the Department of this fact within 15 days after returning to practice.

5. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
6. RESIDENCY AND PRACTICE OUTSIDE MICHIGAN: Periods of residency and practice outside Michigan shall not reduce the probationary period of this order. Respondent shall report any change of residency or practice outside Michigan no more than 15 days after the change occurs. Compliance with this provision does not satisfy the requirements of sections 16192(1) and 16221(g) of the Public Health Code, supra, regarding Respondent's duty to report name or mailing address changes to the Department.
7. REPORTING PROCEDURE: Unless requiring immediate notification as indicated above, all reports required herein shall be filed on a quarterly basis, the first report to be filed at the end of the third month of probation, and subsequent reports to be filed every three months thereafter until Respondent is discharged from probation.

In addition to receiving reports as required herein, the Department or its authorized representative may periodically contact the reporting individuals or agencies to inquire of Respondent's progress. Respondent authorizes release of said information as specifically set forth in the stipulation made a part hereof.

All reports and continuing education required herein shall be filed with the Department of Community Health, Bureau of Health Professions, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

The timely filing of all reports and continuing education required herein shall be Respondent's responsibility and failure to file said reports and continuing education within the time limitations herein provided shall be deemed a violation of an order of the Disciplinary Subcommittee.

STATE OF MICHIGAN – INGHAM COUNTY
We certify that the foregoing is a true copy
of the original on file in the office of the
Department of Community Health Bureau
of Health Professions.

8. COSTS: Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

IT IS FURTHER ORDERED that Respondent shall be automatically discharged from probation at the end of the probationary period, PROVIDED Respondent has complied with the terms of this Order and has not violated the Public Health Code.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this order, and if such violation is deemed to constitute an independent violation of the Public Health Code or the rules promulgated thereunder, the Disciplinary Subcommittee may proceed to take disciplinary action pursuant to 1996 AACRS, R 338.1632 and section 16221(h) of the Public Health Code, supra.

IT IS FURTHER ORDERED that this order shall be effective 30 days from the date signed by the Disciplinary Subcommittee, as set forth below.

Dated: 2/17/05

MICHIGAN BOARD OF NURSING

By: Michelle Woods
Chairperson, Disciplinary Subcommittee

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STIPULATION

1. The allegations of fact and law contained in the Administrative Complaint dated August 9, 2004, are true and constitute violations of sections 16221(a) and 16221(b)(i) of the Public Health Code, supra.

2. Respondent understands and intends that by signing this Stipulation Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq, to require Complainant to prove the charges set forth in the Administrative Complaint by presentation of evidence and legal authority, and to appear with an attorney and such witnesses as Respondent may desire to present a defense to said charges.

3. Respondent hereby authorizes the individuals and entities required to report pursuant to the foregoing Consent Order, to release to the Bureau of Health Professions and/or the Department of Attorney General any and all information necessary for full compliance with the foregoing Consent order and to assure protection of the public health, safety and welfare.

4. Johnnie Hamilton, R.N., N.P., a member of the Board who supports this proposal, and Complainant's representative are both free to discuss this matter with the Disciplinary Subcommittee and recommend acceptance of the resolution set forth in the foregoing Consent Order.

STATE OF MICHIGAN – INGHAM COUNTY
We certify that the foregoing is a true copy
of the original on file in the office of the
Department of Community Health Bureau
of Health Professions.

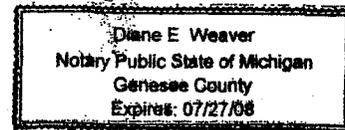
has read the foregoing Consent Order and Stipulation by her subscribed, that she knows the contents thereof to be true, and that the signing of said Consent Order and Stipulation is her free act and deed.

Diane E. Weaver

Notary Public, GENESEE County
State of Michigan
My Commission expires 7-27-2008

This is the last and final page of a Consent Order and Stipulation in the matter of Codzella Antoinette Wilson, L.P.N., File Number 47-03-91749, before the Disciplinary Subcommittee of the Michigan Board of Nursing, consisting of eight pages, this page included.

KMC



STATE OF MICHIGAN -- INGHAM COUNTY
We certify that the foregoing is a true copy
of the original on file in the office of the
Department of Community Health Bureau
of Health Professions.

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF HEALTH PROFESSIONS
BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE

In the Matter of

CODZELLA ANTOINETTE WILSON, L.P.N.
License Number: 47-03-088469

File Number: 47-03-91749

ADMINISTRATIVE COMPLAINT

NOW COMES the Michigan Department of Community Health, hereafter Complainant, by Melanie B. Brim, Director, Bureau of Health Professions, and files this complaint against Codzella Antoinette Wilson, L.P.N., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Nursing, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq. Pursuant to section 16226 of the Public Health Code, supra, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.

2. Respondent is currently licensed to practice as a licensed practical nurse in the state of Michigan.

3. On December 26, 2002, Respondent began employment as a licensed practical nurse at Select Specialty Hospital in Flint, Michigan.

4. On July 3, 2003, Respondent administered a Vicodin tablet to patient M.H. (initials are used to protect patient privacy) instead of a Vicodin Elixir as ordered.

5. On 16 separate occasions between July 18, 2003, and September 10, 2003, Respondent fraudulently documented in medication administration records the initials and signatures of the registered nurses responsible for administering medications.

6. On October 29, 2003, as a result of the above-mentioned conduct, Respondent was terminated from employment. Pursuant to section 20175(5)(a) of the Public Health Code, supra, Complainant was notified of Respondent's termination.

COUNT I

Respondent's conduct, as set forth above, evidences a violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, whether or not injury results, in violation of section 16221(a) of the Public Health Code, supra.

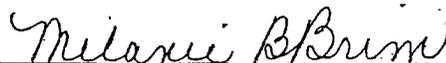
COUNT II

Respondent's conduct, as set forth above, evidences a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for the health profession, whether or not actual injury to an individual occurs, in violation of section 16221(b)(i) of the Public Health Code, supra.

WHEREFORE, Complainant requests that the within complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the license. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant, Melanie B. Brim, Director, Bureau of Health Professions, Department of Community Health, P.O. Box 30670, Lansing, MI 48909.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained herein and shall result in transmittal of this complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.



Melanie B. Brim, Director
Bureau of Health Professions

DATED: August 9, 2004

This is the last and final page of an Administrative Complaint in the matter of Codzella Antoinette Wilson, L.P.N., File Number 47-03-91749, before the Disciplinary Subcommittee of the Michigan Board of Nursing, consisting of three pages, this page included.

KMC