



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 C. Williams
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse
License Number 605087
issued to LINDA MAE PARSONS

§ AGREED
§
§ ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that LINDA MAE PARSONS, hereinafter referred to as Respondent, Registered Nurse License Number 605087, may have violated Section 301.452(b)(10), Texas Occupations Code.

An informal conference was held on March 7, 2006, at the office of the Board of Nurse Examiners, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel; subsequently, Respondent retained William Hopkins, Attorney at Law. In attendance were Mary Beth Thomas, MSN, Director, Nursing Division, Executive Director's Designee; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Candace V. Heisserman, Investigator.

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.
2. Respondent waived notice and hearing, and consented 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 Alvin Community College, Alvin, Texas, in 1994. Respondent became licensed to practice professional nursing in the State of Texas on June 22, 1994.

5. Respondent's professional nursing employment history includes:

- 6/94-5/96 Not employed in nursing
- 5/96-9/99 Director of Nursing
Faith Memorial
Pasadena, Texas
- 9/99-11/02 Director of Nursing
Country Village Care
Angleton, Texas
- 6/01-1/07 Staff Nurse
Harbourview Care Center
League City, Texas
- 11/02-Present Staff Nurse
Coastal Staff Relief Inc.
Lake Jackson, Texas
- 3/03-10/04 Staff Nurse/Charge Nurse
Memorial Hermann Southwest Hospital
Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Charge Nurse with Memorial Hermann Southwest Hospital, Houston, Texas, and had been in this position for approximately one (1) year and three (3) months.

7. On or about June 1, 2004, through June 24, 2004, while employed with Memorial Hermann Southwest Hospital, Houston, Texas, Respondent withdrew Meperidine and Promethazine from the Pyxis Medication Dispensing System for patients without a valid physician's order, as follows:

DATE/TIME	PATIENT	PYXIS	PHYSICIAN'S ORDER	MAR	NURSES NOTES	WASTAGE
6/1/04@0202	375408314152	MEPERIDINE 100MG (1)	NO ORDER; PT D/C @ 0153	NO	NO	NO
6/12/04@2311	375478444164	MEPERIDINE 100MG (1)	NO ORDER	NO	NO	NO
6/18/04@0639	357055674170	MEPERIDINE 100MG (1)	NO ORDER; PT LEFT W/OUT BEING SEEN @0446	NO	NO	NO

6/18/04@0639	357055674170	PROMETHAZINE 25MG (2)	NO ORDER; PT LEFT W/OUT BEING SEEN @0446	NO	NO	NO
6/23/04@1906	33063404175	MEPERIDINE 50MG (1)	NO ORDER	NO	NO	NO
6/24/04@0619	375545224176	MEPERIDINE 100MG (1)	NO ORDER; PT D/C @ 0156	NO	NO	NO

Respondent's conduct was likely to injure the patients in that the administration of Meperidine and Promethazine without a valid physician's order could result in the patient suffering from adverse reactions.

8. On or about June 1, 2004, through June 24, 2004, while employed with Memorial Hermann Southwest Hospital, Houston, Texas, Respondent withdrew Meperidine and Promethazine from the Pyxis Medication Dispensing System for patients, but failed to completely and accurately document the administration of the medication in the patients' Medication Administration Records (MARs) and Nurses Notes, as follows:

DATE/TIME	PATIENT	PYXIS	PHYSICIAN'S ORDER	MAR	NURSES NOTES	WASTAGE
6/1/04@0202	375408314152	MEPERIDINE 100MG (1)	NO ORDER; PT D/C @ 0156	NO	NO	NO
6/12/04@2311	375478444164	MEPERIDINE 100MG (1)	NO ORDER	NO	NO	NO
6/18/04@0639	357055674170	MEPERIDINE 100MG (1)	NO ORDER; PT LEFT W/OUT BEING SEEN	NO	NO	NO
6/18/04@0639	357055674170	PRO- METHAZINE 25MG (2)	NO ORDER; PT LEFT W/OUT BEING SEEN	NO	NO	NO
6/23/04@1906	33063404175	MEPERIDINE 50MG (1)	NO ORDER	NO	NO	NO
6/24/04@0619	357055674170	MEPERIDINE 100MG (1)	NO ORDER; PT D/C @ 0156	NO	NO	NO

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

9. On or about June 1, 2004, through June 24, 2004, while employed with Memorial Hermann Southwest Hospital, Houston, Texas, Respondent withdrew Meperidine and Promethazine from the Pyxis Medication Dispensing System for patients, but failed to follow the policy and procedures for the wastage of the medication. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

10. Respondent states that the incidents described in Findings of Fact Numbers Seven (7), Eight (8), and Nine (9) resulted from a systems error at the facility. Respondent states that there were occasions when timers in the medication system and the medication host computer did not match. For example, Respondent explains that a medication may be ordered by the physician and pulled by the charge nurse for the primary nurse to administer. The primary nurse is given the medication to administer, but it is possible that the patient would have already been discharged electronically by the doctor before the primary nurse actually gives the medication. Respondent states that this would make it look as if the medication had been pulled after the patient had been discharged; however, the patient would still physically be in the room.
11. On May 2, 2006, and June 21, 2006, Respondent underwent a forensic psychological evaluation performed by Joyce M. Gayles, Ph.D., Clinical Psychologist. Results from the evaluation show no indications of mental illness, emotional instability, or propensity toward illegal activity. Based on the SASSI-3, Respondent has a low probability of chemical dependency. It is Dr. Gayles' belief that Respondent can be expected to fulfill the duties and responsibilities, and engage in conduct that is required of a professional nurse according to Board rules. Dr. Gayles states that it is probable that Respondent will be more conscientious to consistently avoid behaviors identified by the Board as constituting unprofessional conduct. Dr. Gayles adds that although Respondent's life challenges do not seem to be affecting her professional performance, it would be personally beneficial for her to receive supportive psychotherapy to assist her to cope with her specific life challenges and problems.
12. In a letter dated April 29, 2007, Tina Humphrey, RN, states that she worked side-by-side with Respondent at Memorial Hermann Southwest Hospital as an agency nurse, staff nurse, and as a charge nurse. Ms. Humphrey states that during this time, the hospital had just changed from paper charting to electronic charting, known as Med Host, and there were several problems with the new process. Ms. Humphrey states that she and Respondent met with the ER director together on one occasion to discuss their frustrations, but there were no changes made. Ms. Humphrey states that Respondent performed as a safe, non-compromised nurse, making quick, appropriate and safe decisions that never endangered patients.
13. On May 4, 2007, Coastal Staff Relief Inc. Lake Jackson, Texas, provided the Board with a copy of Respondent's most recent performance evaluation dated May 2, 2007. According to the evaluation, Respondent's performance has been exceptional and she is believed to be an asset to the company.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1),(3),(4)&(18).
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 605087, heretofore issued to LINDA MAE PARSONS, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT 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 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 Respondent's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent 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 Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to LINDA MAE PARSONS, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(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 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, 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 Chemical Dependency, 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.bne.state.tx.us/about/stipscourses.html>.*

(3) 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.bne.state.tx.us/about/stipscourses.html>

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A REGISTERED NURSE LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD.

(4) RESPONDENT SHALL notify each present employer in professional nursing of this Order of the Board and the stipulations 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 SHALL notify all future employers in professional nursing of this Order of the Board and the stipulations 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 future employer prior to accepting an offer of employment.

(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) 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 professional nursing. These reports shall be completed by the Registered 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) months for one (1) year of employment as a professional nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT 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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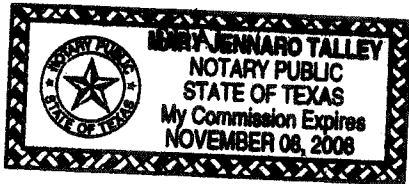
RESPONDENT'S CERTIFICATION

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 violations 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 29th day of June, 2007.

Linda Mae Parsons
LINDA MAE PARSONS, Respondent

Sworn to and subscribed before me this 29th day of June, 2007.



Mary Geneva Jolly
Notary Public in and for the State of Texas

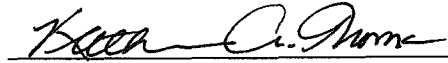
Approved as to form and substance.

William E. Hopkins
WILLIAM E. HOPKINS, Attorney for Respondent

Signed this 12th day of July, 2007.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 29th day of June, 2007, by LINDA MAE PARSONS, Registered Nurse License Number 605087, and said Order is final.

Effective this 14th day of August, 2007.



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