

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 561678	§	AGREED
and Vocational Nurse License Number 124957	§	
issued to CONNIE ELINDA ARTHUR	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CONNIE ELINDA ARTHUR, Registered Nurse License Number 561678, and Vocational Nurse License Number 124957, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on November 9, 2007, 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.
2. Respondent waived representation by counsel, informal conference, 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. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from McLennan Community College, Waco, Texas, on August 16, 1989. Respondent was licensed to practice vocational nursing in the State of Texas on December 7, 1989. Respondent received an Associate Degree in Nursing from McLennan Community College, Waco, Texas on May 1, 1990. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1990.

5. Respondent's vocational and professional nursing employment history includes:

12/89 - 07/91	Unknown	
08/91 - 09/92	RN	East Texas Medical Center Tyler, Texas
10/92 - 08/93	Unknown	
09/93 - 10/95	RN	University of Texas Health Center Tyler, Texas
11/95 - 01/96	Unknown	
02/96 - 02/97	RN	Hospice of the Heart Whitney, Texas
12/96 - 03/98	RN	Coryell Memorial Hospital Gatesville, Texas
04/98 - 03/99	Staff RN	JPS Health Network Fort Worth, Texas
04/99	Unknown	
05/99 - 02/01	RN	Nursefinders Dallas, Texas
06/99 - 11/99	RN	Arlington Memorial Hospital Arlington, Texas
04/01 - 01/02	RN	Goodall - Witcher Hospital Clifton, Texas
02/02 - 03/02	Unknown	
04/02 - 08/03	RN	Medical City Dallas Hospital Dallas, Texas
09/03 - present	RN	Nursefinders Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Nursefinders, Dallas, Texas, and had been in this position for approximately two (2) years and seven (7) months.

7. On or about April 21, 2006, while employed with Nursefinders, Dallas, Texas, and on assignment at VITAS Inpatient Hospice, Dallas, Texas, Respondent failed to administer medications as ordered in that she administered Thorazine rectally to Client V.V.H. when the physician's order was for the Thorazine to be administered orally. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.
8. Respondent states that when she saw the order on the Medication Administration Record (MAR) she noticed that it was written for oral route only. Respondent states she assumed this was an oversight since she had experience working with hospice patients and most medications were allowed to be given both oral and rectal route. Respondent states that she had worked with the attending physician in the past and knew that he would agree with administering the medication rectally. Respondent states that she paged the physician and he confirmed that it was okay for her to have given the medication rectally. Respondent states that in hindsight she should have checked that she had a rectal route order for medications when she realized the patient could no longer swallow.

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)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)(B)&(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered License Number 561678, and Vocational Nurse License Number 124957, heretofore issued to CONNIE ELINDA ARTHUR, including revocation of Respondent's licenses to practice professional and vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, 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 privileges, if any, to practice professional and vocational nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are 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 licenses issued to CONNIE ELINDA ARTHUR to the office of the Texas Board of Nursing within ten (10) days of the date of ratification 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.bon.state.tx.us/about/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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/about/stipscourses.html>.*

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 and vocational nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

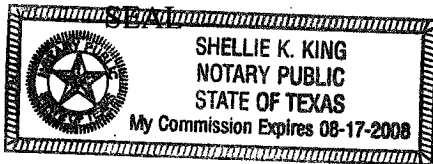
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 licenses to practice professional and vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 18 day of December, 2007

Connie Elinda Arthur

CONNIE ELINDA ARTHUR, Respondent

Sworn to and subscribed before me this 18 day of December, 2007.




Shellie K. King

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 18th day of December, 2007, by CONNIE ELINDA ARTHUR, Registered Nurse License Number 561678 and Vocational Nurse License Number 124957, and said Order is final.

Effective this 27th day of December, 2007.


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