



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 Registered Nurse § AGREED
License Number 647096 §
issued to VICTORIA DOLAND § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of VICTORIA DOLAND, Registered Nurse License Number 647096, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order offered on September 23, 2011, by Katherine A. Thomas, MN, RN, FAAN, 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 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 San Jacinto College, Pasadena, Texas on October 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on December 23, 1997.
5. Respondent's nursing employment history includes:

02/98 - 03/04	Staff Nurse/Telemetry	Spring Branch Medical Center Houston, Texas
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Respondent's nursing employment history continued:

02/99 - 08/00	Staff Nurse	Twelve Oaks Hospital Houston, Texas
06/02 - 12/03	Staff Nurse/ICU	Bellaire Medical Center Houston, Texas
09/03 - 04/08	Staff Nurse/IMU	Select Specialty Hospital Houston, Texas
05/08 - 04/10	Staff Nurse Progressive Care Unit	West Houston Medical Center Houston, Texas
05/10 - Present	Unknown	

6. At the time of the incidents, Respondent was employed as a Staff Nurse with West Houston Medical Center, Houston, Texas, and had been in this position for one (1) year and ten (10) months.
7. On or about March 21, 2010, while employed with West Houston Medical Center, Houston, Texas, Respondent solicited Patient Medical Record Number 0505469 for adoption of her recently delivered baby. While on duty, Respondent contacted the mother via telephone to inquire about adopting her baby and then Respondent went to the patient's room and proceeded to persuade the patient to give up her baby. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
8. On or about March 21, 2010, while employed with West Houston Medical Center, Houston, Texas, Respondent failed to respect the Patient Medical Record Number 0505469's right to privacy by contacting the patient to solicit adoption of her recently delivered baby. Respondent's conduct exposed the patient unnecessarily to a risk of harm from disclosure of her confidential medical information without her written authorization and constitutes a violation of HIPAA (The Health Insurance Portability and Accountability Act).
9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that on the date of the incident the Case Manager announced openly at the nurse's station on Respondent's unit that there was a patient in labor and delivery who was giving up the baby for adoption. Her co-workers immediately began to encourage her to call the patient. The clerk accessed the patient's record and told Respondent the patient's room number. She called the patient and informed her that she was a hospital staff but was still on duty and

agreed to see her when she got off duty. She admits that she went to the patient's room and had a conversation with the patient. Respondent told the patient to consider her for the adoption, she denies persuading her to give up the baby, the patient had already made up her own decision. She denies that she solicited adoption from the patient, she did not try to persuade, cajole or tempt the patient but only informed the patient that she was interested in adopting the child. She admits she used poor judgement to contact the patient and regrets her decision till this day. She was terminated from employment.

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 of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(E),(1)(J) and 217.12(1)(A),(1)(B) &(6)(D).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Vocational Nurse License Number , heretofore issued to , 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 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 “Respecting Professional Boundaries,” a 3.9 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 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>

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course “Patient Privacy,” a 5.4 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 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>.

(4) 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

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 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 license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 24th day of April, 2012.

Victoria Doland, RN
VICTORIA DOLAND, Respondent

Sworn to and subscribed before me this 24th day of April, 2012.



Noemi Vezina
Notary Public in and for the State of Texas

Approved as to form and substance.
Dorothy Oruaga
Dorothy Oruaga, Attorney for Respondent

Signed this 24th day of April, 2012.

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 24th day of April, 2012, by VICTORIA DOLAND, Registered Nurse License Number 647096, and said Order is final.



Effective this 25th day of April, 2012.

A handwritten signature in cursive script that reads "Katherine A. Thomas".

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