

BEFORE THE TEXAS BOARD OF NURSING



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

In the Matter of Vocational Nurse § AGREED
License Number 101866 §
issued to LISA RICKERT-LEE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LISA RICKERT-LEE, Vocational Nurse License Number 101800, 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 June 3, 2009, 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 proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from St. Phillips College, San Antonio, Texas, on December 17, 1982. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983
5. Respondent's vocational nursing employment history includes:

11/83 - 9/88	Unknown
--------------	---------

Respondent's vocational nursing employment history continued:

10/88 - 7/97	Staff LVN	Health South Riosa San Antonio, Texas
8/97 - 8/98	Unknown	
9/98 - 7/99	Staff LVN	Compass/Mission Vista Hospital San Antonio, Texas
8/99 - 9/01	Unknown	
10/01 - 4/07	Staff LVN	OMV Medical Staffing San Antonio, Texas
3/02 - 5/03 ^a	Staff LVN	Intrepid Nursing Agency San Antonio, Texas
6/03 - 9/03	Unknown	
10/03 - 5/06	Staff LVN	Medical Staffing Network San Antonio, Texas
9/05 - 12/05	Staff LVN	St. Francis Hospital Monroe City, Louisiana
9/05 - 8/07	Staff LVN	The Right Solutions Tonitown, Arkansas
2/06 - 3/06	Staff LVN	New Mexico VA Health Care System Albuquerque, New Mexico
4/07 - unknown	Staff LVN	Select Specialty Hospital-Mesa Mesa, Arizona

6. On February 19, 2009, Respondent's multistate licensure compact privilege associated with her license to practice vocational nursing in the State of Texas was issued a Reprimand by the Virginia Board of Nursing. The Findings of Fact state that Respondent, while utilizing her multistate compact privilege and employed with Community Memorial Health Center, South Hill, Virginia, left a syringe containing insulin in a patient's medication drawer, made numerous medications errors and documented medications and assessments that she had not actually done. A copy of the February 19, 2009, Order, Findings of Facts and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. In response to Finding of Fact Number Six (6), Respondent states that she left the insulin in the patient's drawer because when she went to administer insulin, the aid was giving the patient a bath, so she placed the syringe in the patient drawer's drawer and forgot to remove the syringe when the aid was finished. Respondent admits that she made some medication errors but attributes these to the MARs, which were confusing and difficult to read. Respondent states that she signed off the tube feedings before they were done because the unit secretary had the MARs at her desk between 7:00 p.m - 9:00 p.m. Respondent maintains that she recorded the feedings in a book she kept and once she was through, she would get the totals from the pump and record them in the MARS. Respondent asserts this is the first time she has made these types of medication errors and attributes the fact that the MARS were difficult to use and only a small percentage of the patients had name bands on. Additionally, the patient ratio was too great.

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)(8), (10), & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B),(C) & (D) and 22 TEX. ADMIN. CODE §217.12(1)(A) & (B), (4) & (6)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 101866, heretofore issued to LISA RICKERT-LEE, including revocation of Respondent's license to practice 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 WITH A FINE, 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 this Order SHALL be applicable

to Respondent's multistate licensure privilege, if any, to practice 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 LISA RICKERT-LEE to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(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) 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>.

(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/disciplinaryaction/stipscourses.html>.

(4) 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>.

(5) 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 this workshop may be found at the following web address:

<http://www.learningext.com/products/generalce/critical/ctabout.asp>

(6) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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

Signed this ____ day of _____, 2009.

Lisa Rickert-Lee

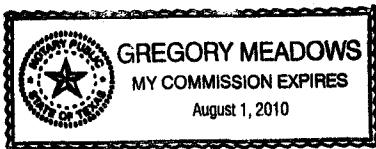
LISA RICKERT-LEE, Respondent

Sworn to and subscribed before me this 13 day of JUNE, 2009.

SEAL

Gregory Meadows


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 13th day of June, 2009, by LISA RICKERT-LEE, Vocational Nurse License Number 101866, and said Order is final.



Effective this 18th day of June, 2009.


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

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

LISA RICKERT-LEE, L.P.N.

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on October 7, 2008, in Henrico County, Virginia. Ms. Rickert-Lee was not present nor was she represented by legal counsel. Nancy Durrett, R.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 28, 2009, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Rickert-Lee was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Lisa Rickert-Lee, L.P.N., was practicing on a multistate privilege as a practical nurse based upon her holding a Texas L.P.N. license 0001-01866, with multistate privileges.
2. By letter dated September 5, 2008, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Rickert-Lee notifying her that an informal conference would be held on October 7, 2008. The Notice was sent by certified and first class mail to 7413 Forest Stream, San Antonio, Texas 78233, the address of record on file with the Board of Nursing. The certified mail receipt was not returned, and the regular mail was not returned. Ms. Rickert-Lee sent correspondence dated September 10, 2008, to the Board in response to receiving the Notice. The Agency Subordinate concluded that Ms.

Rickert-Lee received adequate notice and the informal conference proceeded in her absence.

3. While on assignment as a contract nurse with Community Memorial Health Center, South Hill, Virginia:

a. On July 27, 2007, Ms. Rickert-Lee left a syringe containing insulin in a resident's medication drawer.

b. Between August 11, 2007, and August 16, 2007, Ms. Rickert-Lee made several medication errors. By her own admission, on August 11, 2007, Ms. Rickert-Lee gave Resident A Percocet (oxycodone and acetaminophen, schedule II) belonging to another resident, instead of her ordered medication, and she failed to give Resident B her medication as ordered. On August 12, 2007, Ms. Rickert-Lee failed to give Resident C her medication as ordered, and on August 16, 2007, Ms. Rickert-Lee failed to give Resident D her medication at the scheduled time.

c. On August 17, 2007, Ms. Rickert-Lee indicated on several residents' medication and treatment administration records that she gave medications and performed assessments when she actually had not done so.

CONCLUSIONS OF LAW

1. Findings of Fact #3(a) and (b) constitute violations of § 54.1-3007(5) of the Code.
2. Finding of Fact #3(c) constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Lisa Rickert-Lee, L.P.N., is hereby REPRIMANDED.
2. Ms. Rickert-Lee shall provide the Board with verification that she has completed National Council of State Boards of Nursing ("NCSBN") courses, "Medication Errors: Detection and

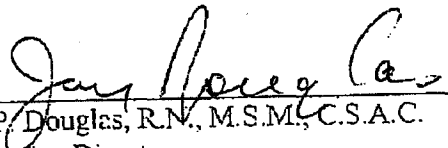
vention" and "Professional Accountability and Legal Liability for Nursing" within 90 days of this order.

3. Ms. Rickert-Lee shall maintain a course of conduct in her capacity as a licensed practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Since Ms. Rickert-Lee failed to appear at the informal conference, this Order shall be considered final. Ms. Rickert-Lee has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Rickert-Lee has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 1000, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to § 54.1-3000.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Board of Nursing

Entered: February 19th, 2009

Order - LISA RICKERT-LEE, L.P.N.
Page 4 of 4

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Lisa Rickert-Lee, L.P.N., at 7413 Forest Stream, San Antonio, Texas 78233.

Jay Douglas
Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Board of Nursing

February 19th, 2009
DATE

Certified True Copy
By draham
Virginia Board of Nursing

**Completing Ordered Courses
Offered by the
National Council State Boards of Nursing (NCSBN)**

If you have been ordered to complete a NCSBN continuing education course, you may locate the website at www.learningext.com.

- After locating the site,
 - Choose *Nursing Continuing Education*.
 - Choose your course from the list of available courses offered by the NCSBN.
- After completing the course(s),
 - Print your certificate(s) of completion and
 - Mail to the Board of Nursing.

Remember, there is a fee for enrolling in these courses, and you will need a debit or credit card.



COMMONWEALTH of VIRGINIA

(Department of Health Professions) - board of nursing

Perimeter Center
996C Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

Whitley Ryals

Board of Nursing
Douglas, RN, MSM, CSAC
Executive Director

Board of Nursing (804) 367-4515
Nurse Aide Registry (804) 367-4509
FAX (804) 527-4455

February 19, 2009

Rickert-Lee, L.P.N. . .
Forest Stream
Antonio, Texas 78233

CERTIFIED MAIL
71603901984534283546

Ms. Rickert-Lee:

Pursuant to the letter sent to you on December 22, 2008, the recommendation made by the Agency Subordinate during the informal conference held on October 7, 2008, was presented to the full Board of Nursing on January 28, 2009. The Board decided to modify the recommendation and enclosed is the Order which was accepted by a quorum of the Virginia Board of Nursing. The Order reprimands you in your practice as a practical nurse in the Commonwealth of Virginia and requires your completion of two (2) NCSBN courses as specified in the Order.

This Order will be forwarded to Tonya James, Compliance Case Manager for the Board of Nursing. Ms. James will monitor your compliance with the terms of the Order on behalf of the Board. Enclosed are documents relevant to your compliance. Please direct all questions, documents, and correspondence related to your compliance with your Order to Tonya James at (804) 367-4536 or directly to her by mail, at the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233-1463.

Please be advised that since you failed to appear at the Informal Conference this Order is final.

If you have any questions, please do not hesitate to contact us.

Sincerely

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

dg

are

Sandra Whitley Ryals, Director, Department of Health Professions
Anne G. Joseph, Deputy Director, Administrative Proceedings Division
LaRhonda Carter, Adjudication Specialist
Beverly Beck, Senior Investigator (116427)
Tonya James, Compliance Case Manager

Board of Audiology & Speech - Language Pathology - Board of Counseling - Board of Dentistry - Board of Funeral Directors & Embalmers
Board of Long-Term Care Administrators - Board of Medicine - Board of Nursing - Board of Optometry - Board of Pharmacy
Board of Physical Therapy - Board of Psychology - Board of Social Work - Board of Veterinary Medicine
Board of Health Professions

NCSBN Learning Extension
Course Completion
Certificate

This certifies that

Lisa

Rickert-Lee

has completed

Medication Errors: Detection & Prevention*

Course Session Date:

13 Mar 2009 - 13 Mar 2009

Provider No. ABNP1046

CE Provider: NCSBN

6.90 contact hours

NCSBN Learning Extension
Course Completion
Certificate

This certifies that

Lisa

Rickert-Lee

has completed

Professional Accountability and Legal Liability*

Course Session Date:

13 Mar 2009 - 13 Mar 2009

Provider No. ABNP1046

CE Provider: NCSBN

5.40 contact hours