

IN THE MATTER OF
PERMANENT VOCATIONAL NURSE
LICENSE NUMBER 198552
ISSUED TO
MELISSA GAIL HAGER

§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING

ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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.
Patricia R. Plummer
Executive Director of the Board

ORDER OF THE BOARD

TO: Melissa Gail Hager
1623 W. Adoue St.
Alvin, Tx 77511

During open meeting held in Austin, Texas, on Tuesday, August 14, 2012, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order

will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 198552, previously issued to MELISSA GAIL HAGER, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 14th day of August, 2012.



TEXAS BOARD OF NURSING

A handwritten signature in cursive script, reading "Katherine A. Thomas".

BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed June 15, 2012.

Re: Permanent Vocational Nurse License Number 198552
Issued to MELISSA GAIL HAGER
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of August, 2012, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested:

Melissa Gail Hager
1623 W. Adoue St.
Alvin, Tx 77511

Via USPS First Class Mail:

Melissa Gail Hager
116 St. Andrews
Friendswood, Texas 77546

Melissa Gail Hager
6321 Hunters Bnd
Alvin, Texas 77511

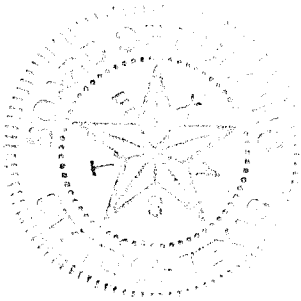
Katherine A. Thomas

BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

I certify this to be a true copy of the records on file with the Texas Board of Nursing.

Date: 8/17/12
Signed: [Signature]



In the Matter of Permanent License § BEFORE THE TEXAS
Number 198552, Issued to §
MELISSA GAIL HAGER, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MELISSA GAIL HAGER, is a Vocational Nurse holding license number 198552, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about November 18, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent withdrew Meperidine from the medication dispensing system for Patient # 103163022, but failed to completely and accurately document the administration of the medication including signs, symptoms and responses to the medication administered in the patient's Medication Administration Records (MAR) and/or Nurses Notes as follows:

| Date/ Time | Patient # | Medication | Physician's Order | MAR | Nurses' Notes | Wastage |
|------------------|-----------|---------------------------------|---|------|------------------|---------|
| 11/18/09 2120 | 103163022 | (1) Meperidine HCL 50mg Vial | Demerol 50mg IM Q 3-4 hrs prn Severe Pain | None | None | None |

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

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).

BALANCE OF PAGE LEFT BLANK INTENTIONALLY

CONTINUED ON NEXT PAGE

CHARGE II.

On or about November 18, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent withdrew Meperidine from the medication dispensing system for Patient # 103163022, but failed to follow the policy and procedure for the wastage of the unused portion of the medication as follows:

| Date/Time | Patient # | Medication | Physician's Order | MAR | Nurses' Notes | Wastage |
|------------------|-----------|---------------------------------|---|------|---------------|---------|
| 11/18/09 2120 | 103163022 | (1) Meperidine HCL 50mg Vial | Demerol 50mg IM Q 3-4 hrs prn Severe Pain | None | None | None |

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).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

CHARGE III.

On or about November 18, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent misappropriated Meperidine belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(6)(G)&(8).

CHARGE IV.

On or about November 20, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent engaged in the intemperate use of Demerol in that she submitted a specimen for a for-cause drug screen which resulted positive for Demerol. Possession of Demerol without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Demerol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12 (4),(5),(10)(D)&(11)(B).

~~NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of~~
up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, for Fraud, and Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

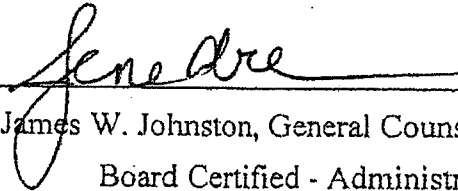
BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

~~NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.~~

Filed this 15th day of June, 2012.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

State Bar No. 10838300

Jena Abel, Assistant General Counsel

State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel

State Bar No. 24066924

John R. Griffith, Assistant General Counsel

State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel

State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel

State Bar No. 24052269

John F. Legris, Assistant General Counsel

State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460

Austin, Texas 78701

P: (512) 305-6811

F: (512) 305-8101 or (512)305-7401

IN THE MATTER OF
 PERMANENT VOCATIONAL NURSE
 LICENSE NUMBER 198552
 ISSUED TO
 MELISSA GAIL HAGER
 §
 §
 §
 §
 §
 BEFORE THE TEXAS
 BOARD OF NURSING
 ELIGIBILITY AND
 DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: Melissa Gail Hager
 1623 W. Adoue St.
 Alvin, Tx 77511

During open meeting held in Austin, Texas, on Tuesday, August 14, 2012, the Texas Board

of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE CH. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action

has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and

Respondent has been given an opportunity to show compliance with all the requirements of the

Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's

license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance

with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in

the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in

accordance with 22 TEX. ADMIN. CODE CH. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas

Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and

conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order

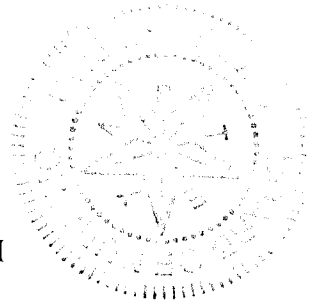
will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN. CODE § 213.16(f)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 198552, previously issued to MELISSA GAIL HAGER, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 14th day of August, 2012.



TEXAS BOARD OF NURSING

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed June 15, 2012.

Re: Permanent Vocational Nurse License Number 198552
Issued to MELISSA GAIL HAGER
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of August, 2012, a true and correct

copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as

follows:

Via USPS Certified Mail, Return Receipt Requested:

Melissa Gail Hager
1623 W. Adoue St.
Alvin, TX 77511

Via USPS First Class Mail:

Melissa Gail Hager
116 St. Andrews
Friendswood, Texas 77546

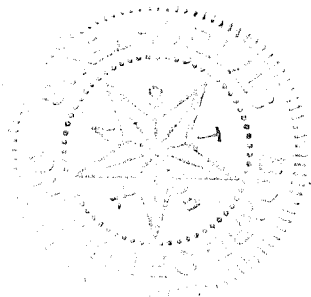
Melissa Gail Hager
6321 Hunters Bnd
Alvin, Texas 77511

BY:

Katherine A. Thomas

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

I certify this to be a true copy of the
records on file with the Texas Board
of Nursing.
Date: 8/17/12
Signed: _____



In the Matter of Permanent License
 Number 198552, Issued to
 MELISSA GAIL HAGER, Respondent

§
 §
 §
 BEFORE THE TEXAS
 BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MELISSA GAIL HAGER, is a Vocational Nurse holding license number 198552, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about November 18, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent withdrew Meperidine from the medication dispensing system for Patient # 103163022, but failed to completely and accurately document the administration of the medication including signs, symptoms and responses to the medication administered in the patient's Medication Administration Records (MAR) and/or Nurses Notes as follows:

| Date/Time | Patient # | Medication | Physician's Order | MAR | Nurses' Notes | Wastage |
|------------------|-----------|---------------------------------|---|------|---------------|---------|
| 11/18/09 2120 | 103163022 | (1) Meperidine HCL 50mg Vial | Demerol 50mg IM Q 3-4 hrs prn Severe Pain | None | None | None |

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

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).

BALANCE OF PAGE LEFT BLANK INTENTIONALLY

CONTINUED ON NEXT PAGE

CHARGE II.

On or about November 18, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent withdrew Meperidine from the medication dispensing system for Patient # 103163022, but failed to follow the policy and procedure for the wastage of the unused portion of the medication as follows:

| Date/Time | Patient # | Medication | Physician's Order | MAR | Nurses' Notes | Wastage |
|------------------|-----------|---------------------------------|---|------|---------------|---------|
| 11/18/09 2120 | 103163022 | (1) Meperidine HCL 50mg Vial | Demerol 50mg IM Q 3-4 hrs prn Severe Pain | None | None | None |

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).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

CHARGE III.

On or about November 18, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent misappropriated Meperidine belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(6)(G)&(8).

CHARGE IV.

On or about November 20, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent engaged in the impropriate use of Demerol in that she submitted a specimen for a for-cause drug screen which resulted positive for Demerol. Possession of Demerol without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Demerol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(4),(5),(10)(D)&(11)(B).

~~NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).~~

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, for Fraud, and Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

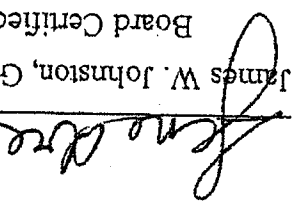
BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

~~NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.~~

Filed this 15th day of June, 2012.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel

Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701

P: (512) 305-6811
F: (512) 305-8101 or (512) 305-7401