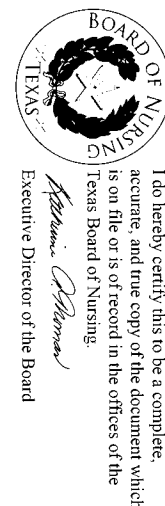


IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBERS 110364 AND 548983	§	COMMITTEE
ISSUED TO	§	OF THE TEXAS
GERTRUDE E. BAKER-TAYLOR	§	BOARD OF NURSING



ORDER OF THE BOARD

TO: Gertrude E. Baker-Taylor
7703 Old Tree Ct
Sugar Land, Texas 77479

During open meeting held in Austin, Texas, on September 13, 2011, the 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 of the Texas Board of Nursing 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 to practice professional and vocational 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 Eligibility and Disciplinary 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 Certificate Numbers 110364 and 548983, previously issued to GERTRUDE E. BAKER-TAYLOR, to practice professional and vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 13th day of September, 2011.

TEXAS BOARD OF NURSING

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

Attachment: Formal Charge filed July 7, 2011.

Re: Permanent Certificate Numbers 110364 and 548983
Issued to GERTRUDE E. BAKER-TAYLOR
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of September, 2011, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Gertrude E. Baker-Taylor
7703 Old Tree Ct
Sugar Land, Texas 77479

BY: Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

§ BEFORE THE TEXAS
§
§ BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, GERTRUDE E. BAKER-TAYLOR, is a Registered Nurse holding license number 548983 which is in current status at the time of this pleading and a Vocational Nurse holding license number 110364, 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 August 2, 2006 through August 7, 2006, while employed with Memorial Hermann Southwest Hospital, Houston, Texas, Respondent withdrew Hydrocodone (Vicodin and Lortab) from the Pyxis Medication Dispensing System for patients, but failed to document, or accurately document the administration of the medication in the patients' Medication Administration Records (MAR) and/or nurse's notes, as follows:

Date/ Time	Patient	PYXIS Record	Physician's Order	MAR	Nurses Notes	Wastage
08/02/06 @ 1940	371341756214	Hydrocodone Vicodin-2 tabs	Vicodin 1-2 tabs PO Q 4-6 hrs PRN Pain	2000- 2 tabs	No	No
08/02/06 @1517	362372686212	Hydrocodone Lortab - 1 tab	Hydrocodone 1 tab PO Q 4 hrs PRN	1554	No	No
08/02/06 @ 1617	362372686212	Hydrocodone Lortab - 1 tab	No Order Patient discharged home @ 1600	No	No	No
08/04/06 @ 1930	373513506215	Hydrocodone Vicodin-2 tabs	Vicodin 1-2 tabs PO Q 4 hrs PRN x 24 hrs not to exceed 8 tabs a day	No	1715	5mg @ 1936
08/07/06 @ 1643	334563456199	Hydrocodone Vicodin -1 tab	Vicodin 1 tab PO Q 6 hrs PRN Pain	1700	No	No

Respondent's conduct above was likely to injure the patients 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)&(D) and 217.12(1)(A)&(4).

CHARGE II.

On or about July 28, 2006 through August 8, 2006, while employed with Memorial Hermann Southwest Hospital, Houston, Texas, Respondent misappropriated Hydrocodone (Lortab and Vicodin) belonging to the facility and/or patients thereof, or failed to take precautions to prevent such misappropriation in that Respondent admitted she took Hydrocodone for her own use. Possession of Hydrocodone, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.

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(6)(G),(8)&(11)(B).

CHARGE III.

On or about August 16, 2006, while employed as a Registered Nurse with Memorial Hermann Southwest Hospital, Houston, Texas, Respondent engaged in the intemperate use of Barbiturates and Opiates in that Respondent produced a specimen for a drug screen that resulted positive for Barbiturates and Opiates. Possession of Barbiturates and Opiates, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Barbiturates and Opiates by a 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 is a violation of 22 TEX. ADMIN. CODE §217.12(1)(E),(4),(5),(10)(A)&(11)(B).

CHARGE IV.

On or about September 6, 2007, Respondent engaged in the intemperate use of Propoxyphene in that while participating in the Texas Peer Assistance Program for Nurses, Respondent produced a specimen for a drug screen that resulted positive for Propoxyphene. Possession of Propoxyphene, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Propoxyphene by a 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 is a violation of 22 TEX. ADMIN. CODE §217.12(1)(E),(4),(5),(10)(A)&(11)(B).

CHARGE V.

On or about May 2008, while employed with The Right Step, Houston, Texas, Respondent engaged in the intemperate use of Ambien in that Respondent admitted that she had been using Ambien and that she had been concealing her use of Ambien, because it was the only thing that helped her sleep. Possession of Ambien, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Ambien by a 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 is a violation of 22 TEX. ADMIN. CODE §217.12(1)(E),(4),(5),(10)(A)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license 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, and TEX. OCC. CODE Ch. 53. 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.state.tx.us.

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 and for Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

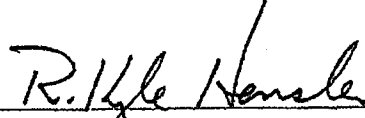
BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

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.state.tx.us/disciplinaryaction/discp-matrix.html.

Filed this 7th day of July, 2011.

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

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) 305-6824
F: (512) 305-8101 or (512) 305-7401