

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 206875
ISSUED TO
JONNA LOPEZ

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
BOARD OF NURSING

ORDER OF THE BOARD

TO: Jonna Lopez
925 Curry Street
Baytown, Texas 77521

During open meeting held in Austin, Texas, on Tuesday, March 20, 2012, 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 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



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 P. Thomas
Executive Director of the Board

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 Number 206875, previously issued to JONNA LOPEZ, to practice 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 vocational nursing in the State of Texas.

Entered this 20th day of March, 2012.

TEXAS BOARD OF NURSING



BY:

Katherine A. Thomas

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


Attachment: Formal Charges filed January 17, 2012.

Re: Permanent Certificate Number 206875
Issued to JONNA LOPEZ
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of March, 2010, 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):

Jonna Lopez
925 Curry Street
Baytown, Texas 77521

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

In the Matter of Permanent License
Number 206875, Issued to
JONNA LOPEZ, Respondent

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BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JONNA LOPEZ, is a Vocational Nurse holding license number 206875, 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 July 7, 2009 and July 8, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent withdrew Demerol from the medication dispensing system for patients, but failed to completely and accurately document the administration of the medication including signs, symptoms and responses to the medication administered in the patients' Medication Administration Records (MARs) and/or Nurses Notes as follows:

Date/ Time	Patient #	Medication Pulled	Physician's Order	MAR	Nurses Notes	Wastage
7/7/09 20:01:41	102700158	(1) Meperidine HCL 100mg	Demerol 75mg IM Q 3hrs PRN	None	None	None
7/7/09 21:02:30	102726063	(1) Meperidine HCL 100mg	No Order	None	None	None
7/7/09 22:29:02	102764861	(1) Meperidine HCL 100mg	No Order	None	None	None
7/7/09 23:37:07	102617769	(1) Meperidine HCL 100mg	No Order	None	None	None
7/8/09 00:34:43	102617769	(1) Meperidine HCL 100mg	No Order	None	None	None
7/8/09 01:27:08	102700158	(1) Meperidine HCL 100mg	Demerol 75mg IM Q 3hrs PRN	None	None	None
7/8/09 03:24:17	102617769	(1) Meperidine HCL 100mg	No Order	None	None	None

Respondent's conduct 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),(B)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).

CHARGE II.

On or about July 7, 2009 and July 8, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent withdrew Demerol from the medication dispensing system for patients, but failed to follow the policy and procedure for the wastage of the unused portion of the medication as follows:

Date/ Time	Patient #	Medication Pulled	Physician's Order	MAR	Nurses Notes	Wastage
7/7/09 20:01:41	102700158	(1) Meperidine HCL 100mg	Demerol 75mg IM Q 3hrs PRN	None	None	None
7/7/09 21:02:30	102726063	(1) Meperidine HCL 100mg	No Order	None	None	None
7/7/09 21:39:13	102700158	(1) Meperidine HCL 100mg	Demerol 75mg IM Q 3hrs PRN	2230 75mg	None	None
7/7/09 22:29:02	102764861	(1) Meperidine HCL 100mg	No Order	None	None	None
7/7/09 23:37:07	102617769	(1) Meperidine HCL 100mg	No Order	None	None	None
7/8/09 00:34:43	102617769	(1) Meperidine HCL 100mg	No Order	None	None	None
7/8/09 01:27:08	102700158	(1) Meperidine HCL 100mg	Demerol 75mg IM Q 3hrs PRN	None	None	None
7/8/09 03:24:17	102617769	(1) Meperidine HCL 100mg	No Order	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).

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CHARGE III.

On or about July 7, 2009 and July 8, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent Withdrew Demerol from the medication dispensing system for patients without a valid physician's order as follows:

Date/ Time	Patient #	Medication Pulled	Physician's Order	MAR	Nurses Notes	Wastage
7/7/09 21:02:30	102726063	(1) Meperidine HCL 100mg	No Order	None	None	None
7/7/09 22:29:02	102764861	(1) Meperidine HCL 100mg	No Order	None	None	None
7/7/09 23:37:07	102617769	(1) Meperidine HCL 100mg	No Order	None	None	None
7/8/09 00:34:43	102617769	(1) Meperidine HCL 100mg	No Order	None	None	None
7/8/09 03:24:17	102617769	(1) Meperidine HCL 100mg	No Order	None	None	None

Respondent's conduct was likely to injure the patients in that the administration of Stadol without a valid physician's order could result in the patient suffering from adverse reactions.

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) & (C) and §217.12(1)(A)&(4).

CHARGE IV.

On or about July 7, 2009 and July 8, 2009, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent admitted to misappropriating Demerol belonging to the facility and the patients thereof. 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 V.

On or about June 28, 2010, through August 2, 2010, while employed with San Jacinto Methodist Center, Baytown, Texas, Respondent wrote and passed multiple falsified unauthorized prescriptions for Promethazine, Alprazolam and Hydrocodone for herself and her husband. Respondent's conduct was likely to deceive the pharmacy and possession of Promethazine and Hydrocodone through use of a unauthorized, fraudulent and telephonically communicated prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act) and Chapter 483 of the Texas Health and Safety Code (Dangerous Drug Act).

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(8),(10)(E),(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. 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.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, Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

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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 17th day of January, 2012.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

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