



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 Vocational Nurse	§	AGREED
License Number 86761	§	
issued to DOLORES L. WHITELOW	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DOLORES L. WHITELOW, Vocational Nurse License Number 86761, 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 October 5, 2011, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Lewis A. Wilson Technological Center School of Practical Nursing, Dix Hills, New York, on June 15, 1979. Respondent was licensed to practice vocational nursing in the State of Texas on October 22, 1980.
5. Respondent's nursing employment history includes:

1980 - 1984	Director of Nursing	Green Acres Nursing Home Humble, Texas
1984 - 1986	Staff Nurse - Rehabilitation Unit	Health South Hospital Humble, Texas

Respondent's nursing employment history continued:

1986 - 02/1997	Staff Nurse	Conroe Medical Center Conroe, Texas
03/1997 - Unknown	Staff Nurse	Kingwood Medical Center Kingwood, Texas

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Kingwood Medical Center, and had been in this position for eleven (11) years and ten (10) months.
7. On or about January 14, 2009, while employed with Kingwood Medical Center, Kingwood, Texas, and while Patient Medical Record Number CD00127662 was in her care, Respondent failed to intervene when the patient exhibited signs of hypotension. Respondent's conduct deprived the patient of timely nursing intervention, which may have exposed the patient to complications of hypotension, including dizziness, organ failure, shock, and possible demise.
8. On or about January 14, 2009, while employed with Kingwood Medical Center, Kingwood, Texas, and while Patient Medical Record Number CD00127662 was in her care, Respondent initiated a Patient Controlled Analgesia (PCA) pump for the patient, who exhibited signs of hypotension. Respondent's conduct may have exacerbated the hypotension, which may have resulted in the patient experiencing complications of hypotension, including dizziness, organ failure, shock, and possible demise.
9. On or about January 14, 2009, while employed with Kingwood Medical Center, Kingwood, Texas, and while Patient Medical Record Number CD00127662 was in Respondent's care, Respondent failed to follow documentation and monitoring for the Patient Controlled Anesthesia (PCA) pump according to hospital policy and procedure in that there was no documentation of a second nurse witnessing the initialization of the PCA pump. Respondent's conduct may have exposed the patient to harm in that there was no verification from a witness that the pump was set at the correct rate and volume.
10. On or about January 14, 2009, while employed with Kingwood Medical Center, Kingwood, Texas, and while Patient Medical Record Number CD00127662 was in her care, Respondent incorrectly recorded the initial volume of the medication in the syringe in the PCA pump as "55 milliliters (ml)" when the syringe in the PCA pump only contained "40ml". Respondent's conduct resulted in an inaccurate medical record on which subsequent caregivers would rely on to provide ongoing medical care.
11. On or about January 14, 2009, while employed with Kingwood Medical Center, Kingwood, Texas, and while Patient Medical Record Number CD00127662 was in her care, Respondent failed to supervise data collection that was delegated to the Certified Nurses' Aide (CNA). No vital signs were documented as having been taken from 1440 until shift change at 1900. Respondent's conduct created an incomplete medical record that subsequent care givers would rely on to further deliver patient care.

12. On or about January 14, 2009, while employed with Kingwood Medical Center, Kingwood, Texas, and while Patient Medical Record Number CD00127662 was in her care, Respondent failed to follow the physician's order to monitor and document urine output every four (4) hours. Respondent's conduct created an incomplete medical record that subsequent care givers would rely on to further deliver patient care.
13. In response to Findings of Fact Numbers Seven (7) through Twelve (12), Respondent states that the patient was received from Post Anesthesia Care Unit (PACU) and had been hypotensive in PACU. The patient was alert and talking with her family. Respondent states that the charge nurse initiated and hung the PCA pump. Respondent states that the patient received no Dilaudid through the PCA pump during her shift. Respondent adds that she completed documentation and monitoring for the PCA pump according to hospital policy and procedures in the computer. Respondent states there were two nurses who initiated the PCA pump and the initial amount of medication in the syringe was recorded by Respondent incorrectly. Respondent contends that vital signs were taken by the assigned CNA and recorded. Respondent wrote "stable" on the vital sign documentation. Respondent states she had the urine output values, however, she did not record them or ensure that they were recorded. Following the incidents which occurred, Respondent took a continuing education course in physical assessment. Respondent states she reviewed the LVN scope of practice and met with her director and reviewed the hospital policy and procedure on PCA management.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C),(1)(D),(1)(M),(1)(U)&(2)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(F)&(4).
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 86761, heretofore issued to DOLORES L. WHITELAW, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

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ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING, 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 Texas Board of Nursing 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 physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. 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. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. 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>.*

(3) 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>.*

(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'S license(s) SHALL BE placed in INACTIVE status.

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RESPONDENTS 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 18 day of October, 2011
Dolores L. Whitelaw
 DOLORES L. WHITELAW, Respondent

Sworn to and subscribed before me this 19 day of October, 2011

SEAL

Tracy Proctor
Notary Public in and for the State of Texas

Approved as to form and substance.

Joyce Stamp Lilly, Attorney for Respondent

Signed this 20 day of October, 2011

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 19th day of October, 2011, by DOLORES L. WHITELOW, Vocational Nurse License Number 86761, and said Order is final.

Effective this 13th day of December, 2011.



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

