



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 Permanent § AGREED
Registered Nurse License Number 439620 §
issued to DOLORES BLACK § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DOLORES BLACK, Registered Nurse License Number 439620, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 9, 2012, by Katherine A. Thomas, MN, RN, FAAN, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
- 3. Respondent is currently licensed to practice professional nursing in the State of Texas.
- 4. Respondent received an Associate Degree in Nursing from Santa Fe Community College, Gainesville, Florida, on September 1, 1971. Respondent was licensed to practice professional nursing in the State of Texas on July 8, 1977.
- 5. Respondent's complete professional nursing employment history includes:

07/1977-10/1977	RN	St. Luke's Episcopal Hospital Houston, Texas
11/1977-11/1996	RN	MD Anderson Cancer Center Houston, Texas

Respondent's complete professional nursing employment history continues:

11/1996-02/1997	Unknown	
03/1997-03/11	RN	St. Luke's Episcopal Hospital Houston, Texas
04/11-Present	Unknown	

6. At the time of the initial incident as stated in Finding of Facts Numbers Seven (7) through Thirteen (13), Respondent was employed as a Registered Nurse with St. Luke's Episcopal Hospital, Houston, Texas, and had been in this position for approximately fourteen (14) years.
7. On or about March 21, 2011, and March 22, 2011, while employed as a Registered Nurse with St. Luke's Episcopal Hospital, Houston, Texas, Respondent administered Hydromorphone to Patient Medical Record Number 02911859 in excess frequency of the physician's order when there was not a written or verbal order documented for an early dose, as follows:

Date	Time Documented as Administered on MAR by Previous Nurse	Time Documented as Administered on MAR by Respondent	Order
03/21/11	0605	1050	Hydromorphone 1mg/0.25ml Soln IV Every 6 hours as needed
03/22/11	0652	1112	Hydromorphone 1mg/0.25ml Soln IV Every 6 hours as needed

Respondent's conduct was likely to injure the patient in that the administration of Hydromorphone in excess frequency of the physician's order could result in the patient suffering from adverse reactions.

8. In Response to Finding of Fact Number Seven (7), Respondent states the last dose was given by the night nurse and she followed facility medication administration policy. Respondent states that the facility uses a computer for scanning medication and that she did not have to override the medication when withdrawing. Respondent states that the doctors, Dr. Singh and Dr. Ahmed, gave a verbal order.
9. On or about March 22, 2011, while employed as a Registered Nurse with St. Luke's Episcopal Hospital, Houston, Texas, Respondent failed to administer seven (7) units of Humulin-R to Patient Medical Record Number 02911859 as ordered for a blood glucose level test result of 251-300 mg/dL. At 1233, Patient Medical Record Number 02911859 blood glucose level tested at 265 mg/dL, however, Respondent failed to administer Humulin-R as ordered. At 1556, Respondent found Patient Medical Record Number 02911859 unresponsive, and Patient subsequently expired at 1556. Respondent's conduct deprived the

patient of insulin, which was required to stabilize the patient's condition and may have prevented the patient's demise.

10. In Response to Finding of Fact Number Nine (9), Respondent states the insulin was ordered pre-meal when she started having computer problems so she notified Risa Chose, Supervisor, and did not stop working because the computer shut down. Respondent states facility policy is to go back for late entry charting. Respondent adds that this was a very stressful day due to the computer system being down
11. On or about March 22, 2011, while employed as a Registered Nurse with St. Luke's Episcopal Hospital, Houston, Texas, Respondent incorrectly documented that Patient Medical Record Number 02911859 was off the unit at Kirby Glen Clinic for radiation therapy at 1242, when it was actually another patient. Respondent's conduct created an inaccurate medical record on which subsequent caregivers would rely on to provide ongoing medical care. Additionally, Respondent's conduct was likely to injure the patient and could have resulted in the patient not getting the care that they needed.
12. In Response to Finding of Fact Number Eleven (11), Respondent admits to falsely documenting this patient went to Kirby Glen.
13. On or about March 22, 2011, while employed as a Registered Nurse with St. Luke's Episcopal Hospital, Houston, Texas, Respondent failed to document in Patient Medical Record Numbers 02963374, 02603284, and 02950801, that she had conducted comfort/safety rounds. Respondent's conduct was likely to injure patients and could have resulted in the patients not getting the care that they needed.
14. In Response to Finding of Fact Number Thirteen (13), Respondent states that she made her daily rounds on all of her patient and followed facility policy and procedures.

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(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A), (B) & (C), (4), (6)(A)& (H).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 439620, heretofore issued to DOLORES BLACK, including revocation of Respondent's license(s) to practice 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 WARNING WITH STIPULATIONS, 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.texas.gov/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL, within one (1) year of entry of this, 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.texas.gov/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.texas.gov/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. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

(5) RESPONDENT SHALL pay a monetary fine in the amount of two-hundred and fifty (\$250) dollars. 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, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law

Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. These

reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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 shall be eligible for nurse licensure compact privileges, if any.

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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(s) 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 8 day of 21, 2012

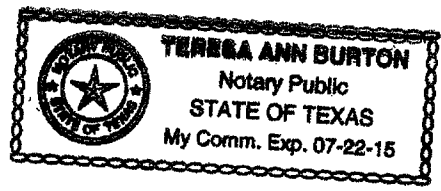
Dolores Black
DOLORES BLACK, RESPONDENT

Sworn to and subscribed before me this 21st day of Aug, 2012.

SEAL

Teresa Ann Burton

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 21st day of August, 2012, by DOLORES BLACK, Registered Nurse License Number 439620, and said Order is final.

Effective this 11th day of September, 2012.



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