



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

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In the Matter of Vocational Nurse                   §     AGREED  
License Number 79574                                 §  
issued to JILL G. WELCH                             §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JILL G. WELCH, Vocational Nurse License Number 79574, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10),(12)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on December 27, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

### 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Kermit School of Vocational Nursing, Kermit, Texas, on September 8, 1978. Respondent was licensed to practice vocational nursing in the State of Texas on November 28, 1978.
5. Respondent's nursing employment history includes:

11/1978 - 02/1995

Staff Nurse

Ward Memorial Hospital  
Monahans, Texas

Respondent's nursing employment history continued:

02/1995- 10/2004	Correctional Nurse	Texas Tech Health Science at Neal Unit Amarillo, Texas
10/2004 - 05/2007	Home Health Nurse	Children's Home Health Agency Amarillo, Texas
05/2007 - 10/2008	Home Health Nurse	Interim Home Health Amarillo, Texas
05/2007 - 10/2008	Home Health Nurse	Texas Senior Home Health Amarillo, Texas
11/2008 - 01/2009	Unknown	
02/2009 - 10/2009	Charge Nurse	Park Manor of Humble Humble, Texas
10/2009 - Unknown	Charge Nurse	Pine Shadows Retreat Porter, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Charge Nurse with Park Manor of Humble, Humble, Texas, and had been in this position for eight (8) months.
7. On or about October 11, 2009, through October 12, 2009, while employed as a Charge Nurse with Park Manor of Humble, Humble, Texas, Respondent failed to provide adequate care to her assigned seven (7) residents when she failed to perform appropriate nursing assessments, including obtaining vital signs and finger stick blood glucose readings, and failed to administer ordered medications, including Insulin, inhaled respiratory medications and respiratory nebulizer treatments. Additionally, Respondent failed to appropriately document in the residents' medical records, omitting her signature to entries, documenting conflicting information, and documenting illegibly. Respondent's conduct resulted in incomplete, inaccurate medical records, was likely to harm residents from clinical care based upon incomplete assessment information, and was likely to harm residents from non-efficacious treatment as a result of not receiving ordered medications.

8. On or about October 11, 2009, through October 12, 2009, while employed with Park Manor of Humble, Humble, Texas, Respondent reported to work and accepted her nursing assignment when she was unable to deliver safe and effective nursing care due to her emotional/mental status and side effects from prescribed medication. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in residents; conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing residents in potential danger.
9. On or about October 21, 2009, through October 23, 2009, while hospitalized at Kingwood Medical Center, Kingwood, Texas, Respondent was diagnosed as having a history of Xanax abuse and a history of depression. Respondent condition may have prevented her from delivering safe nursing care.
10. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
11. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
12. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that the only thing she is "guilty of" is failing to document that she administered Insulin, which she administered according to the physician's orders but failed to sign the medication record. She also states that she performed nursing assessments and documented accurately and accordingly. Respondent states that when she was treated at Kingwood Medical Center, it was not for Xanax abuse; however, she admits that she may have mentioned to the doctor that at one time she did misuse Xanax due to a terrible bout of depression she had in October 2008. According to Respondent, when she felt like it could become a problem she sought in-patient care for depression and what she thought might be an abuse problem; and after seven days she was released and continued therapy on an out-patient basis for several weeks. Respondent concludes that she is continuing to see a counselor for depression at this time, takes an antidepressant medication, and has not taken Xanax since beginning her therapy in 2008.
13. Respondent's conduct described in Findings of Fact Numbers Seven (7) through Nine (9) was significantly influenced by Respondent's impairment by dependency on chemicals and mental illness.
14. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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),(12)&(13), Texas Occupations Code, and TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(C),(1)(D),(1)(T)&(2)(A) and 217.12(1)(A),(1)(B),(1)(C),(4),(5)&(10)(A).
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 79574, heretofore issued to JILL G. WELCH, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

### ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep his/her license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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 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 multistate licensure 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, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

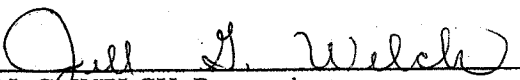
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RESPONDENT'S CERTIFICATION

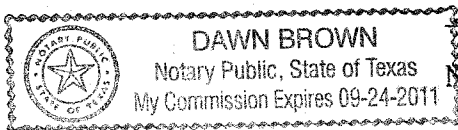
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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 11 day of Feb, 2011.

  
JILL G. WELCH, Respondent

Sworn to and subscribed before me this 11 day of FEB, 2011.

SEAL



  
Notary Public in and for the State of TEXAS

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 11th day of February, 2011, by JILL G. WELCH, Vocational Nurse License Number 79574, and said Order is final.



Entered and effective this 17th day of February, 2011.

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