



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 Registered Nurse § AGREED
License Number 254563 §
issued to MAUREEN M. HOBBS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bc considered the matter of MAUREEN M. HOBBS, Registered Nurse License Number 254563, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 30, 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.
2. Respondent waived 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 Amarillo College, Amarillo, Texas, in May 1980. Respondent was licensed to practice professional nursing in the State of Texas in March 30, 1981.
5. Respondent's professional nursing employment history includes:

1981 - 1991	Staff Nurse	University Medical Center
	Neonatal ICU	Lubbock, Texas

Respondent's professional nursing employment history continued:

1990 - 1993	Staff Nurse	Charter Plains Psychiatric Hospital Lubbock, Texas
1992 - 1993	Staff Nurse CCU	Methodist Hospital Lubbock, Texas
1994 - 1998	Staff Nurse	Horizon Specialty Hospital Lubbock, Texas
1996 - 1997	Assistant Director	Horizon Specialty Hospital Lubbock, Texas
1999 - 2008	Staff Nurse	Covenant Health System Lubbock, Texas
2003 - 2005	Staff Nurse	Whisperwood Nursing Home Lubbock, Texas
2008 - Present	Not employed in nursing	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Covenant Health System, Lubbock, Texas, and had been in this position for nine (9) years.
7. On or about December 6, 2008, while employed with Covenant Health System, Lubbock, Texas, engaged in the *intemperate use of Xanax* in that she admitted to taking Xanax prior to reporting for duty. The use of Xanax by a Registered 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.
8. On or about December 6, 2008, while employed with Covenant Health System, Lubbock, Texas, Respondent lacked fitness to practice in that she was unable to give report to the oncoming nurse and failed to provide appropriate patient care, as follows:
 - Respondent left premature infant Patients Medical Record Number MU00825924 and infant Patient Medical Record Number MU00825923, unclothed and uncovered with the radiant warmer off;
 - Respondent failed to place the male twin's naso-gastric tube, and then allowed the infant's Father to place the NG tube for Patient Medical Record Number MU00825923;
 - Respondent failed to verify physician orders before feeding infant Patients Medical Record Number MU00825924 and infant Patient Medical Record Number MU00825923: breast milk was ordered and formula was given;

- Respondent erroneously instructed Parents to feed the infant girl Patient Medical Record Number MU00825924 ad lib, when the physician's order was to restrict feeding to thirty-two (32) ccs;
- Respondent failed to wash her hands per protocol while caring for the infant Patients Medical Record Number MU00825924 and infant Patient Medical Record Number MU00825923; and
- Respondent falsified documents by recording hourly temperature readings for infant Patients Medical Record Number MU00825924 and infant Patient Medical Record Number MU00825923, when the radiant warmer had been off since the day shift and Respondent documented feeding amounts in ccs on the Intake and Output record when the infant was breast fed.

Respondent later admitted to the supervisor that she had taken Xanax before reporting for duty and did not remember coming to work or any of the incidents. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing patients in potential danger.

9. On or about September 15, 2009, Respondent engaged in the intemperate use of Alcohol in that while participating in the Texas Peer Assistance Program for Nurses (TPAPN) she submitted a specimen for a drug screen which resulted positive for ETG 1313/ETS 1351 and she admitted to drinking. On or about October 5, 2009, Respondent engaged in the intemperate use of Alcohol in that while participating in TPAPN she submitted a specimen for a drug screen which resulted positive for ETG 732/ETS 455 and she admitted to drinking. On or about October 21, 2009, Respondent engaged in the intemperate use of Alcohol in that while participating in TPAPN she was selected for a drug screen and she refused to submitted a specimen because she indicated it would be positive. On October 21, 2009, Respondent was dismissed from TPAPN and referred to the Board.
10. On or about November 13, 2009, Respondent engaged in the intemperate use of alcohol in that she was arrested by the Lubbock Police Department, Lubbock, Texas, for the offense of Driving While Intoxicated. The case is pending in court.
11. On or about December 21, 2009, Respondent engaged in the intemperate use of alcohol in that she was arrested by the Lubbock Police Department, Lubbock, Texas, for the offense of "Driving While Intoxicated" and she submitted a specimen for a blood alcohol screen which resulted positive with a Blood Alcohol Concentration of 0.20%. The case is pending in court.
12. 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.
13. 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.

14. Respondent's conduct described in the preceding Findings of Fact resulted from Respondent's impairment by dependency on chemicals.
15. 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)(9),(10),(12)&(13) Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(B),(C),(D),(M)&(O) and 217.12(1)(A),(E),(4),(5),(6)(A),(9),(10)(A),(B),(D)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 254563, heretofore issued to MAUREEN M. HOBBS, including revocation of Respondent's license 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):

RESPONDENT SHALL deliver the wallet-sized license issued to MAUREEN M. HOBBS, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(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 five hundred dollars (\$500.00) 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 her license 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 is 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 and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S 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. 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12th day of June, 2010.

Maureen M. Hobbs
MAUREEN M. HOBBS, Respondent

Sworn to and subscribed before me this 12th day of June, 2010.

SEAL



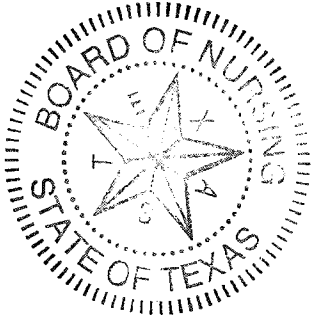
Shelly Bridges
Notary Public in and for the State of Texas

Approved as to form and substance.

Laura Diamond
Laura Diamond, Attorney for Respondent

Signed this 16th day of June, 2010.

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 12th day of June, 2010, by MAUREEN M. HOBBS, Registered Nurse License Number 254563, and said Order is final.



Entered and effective this 18th day of June, 2010.

Katherine A. Thomas

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