

5. Respondent's vocational nursing employment history includes:

10/03-04/04	LVN	The University Medical Center Lubbock, Texas
05/04-06/04	LVN	Heritage Oaks Nursing and Rehab Center Lubbock, Texas
07/04	Unknown	
08/04-09/07	LVN	Covenant Health Systems Lubbock, Texas
09/07-10/07	LVN	Q&S Pain Management Lubbock, Texas
11/07-01/08	LVN	Southwest Regional Medical Complex Lubbock, Texas
01/08	LVN	Whisperwood Nursing Lubbock, Texas
02/08-Present	LVN	Texas Tech University Health Sciences Center John T. Montford Unit, Regional Medical Facility Lubbock, Texas

6. On June 13, 2006, Respondent's license to practice vocational nursing in the State of Texas was issued the sanction of a Warning with Stipulations by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated June 13, 2006, is attached and incorporated by reference as part of this Order.
7. On or about July 6, 2004, when applying for employment with Covenant Health Systems, Lubbock, Texas, Respondent provided false or misleading information that may have affected the decision to hire her, in that she indicated that she left employment with University Medical Center for personal reasons, when in fact, she was terminated. Respondent's conduct was deceiving towards Covenant Health Systems, and may have affected their decision to employ Respondent.
8. On or about October 13, 2004, while employed with Covenant Health System, Med-Surg Unit, Lubbock, Texas, Respondent failed to infuse a stryker drain in a timely manner. Furthermore, when she was unable to get the equipment to work properly, she failed to ask for help or report any difficulties. Respondent's conduct was likely to injure the patient in that failure to administer treatments as ordered by the physician could have resulted in

nonefficacious treatment.

9. On or about October 13, 2004, while employed with Covenant Health System, Med-Surg Unit, Lubbock, Texas, Respondent failed to properly document the administration of Lasix to a patient. 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 or nonefficacious treatment.
10. On or about November 4, 2004, while employed with Covenant Health System, Med-Surg Unit, Lubbock, Texas, Respondent withdrew Morphine and Percodan from the Medication Dispensing System (Pyxis) for patients, but failed to document, or accurately document the administration of the medications in the patient's Medical Administration Records (MAR). 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.
11. On or about February 22, 2005, while employed with Covenant Health System, Med-Surg Unit, Lubbock, Texas, Respondent failed to properly identify two patients to whom she was administering medication resulting in her switching their IV bags. Respondent's conduct was likely to injure the patients in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.
12. On July 24, 2006, while employed with Covenant Health System, Heart Center Unit, Lubbock, Texas, Respondent failed to change a patient's dressing as ordered by a physician. Respondent's conduct was likely to injure the patient in that failure to administer treatments as ordered by the physician could have resulted in nonefficacious treatment.
13. On July 27, 2006, while employed with Covenant Health System, Heart Center Unit, Lubbock, Texas, Respondent failed to document that any medications were administered during her shift and did not follow up with a charge nurse as to make them aware of any issues as to why the medications were not given. Respondent's conduct was likely to injure the patients in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment and subsequent care givers would rely on her documentation to further medicate the patient.
14. On or about June 27, 2006, Respondent became non-compliant with the Agreed Order issued to her by the Board of Nurse Examiners for the State of Texas on June 13, 2006, and mailed on June 16, 2006. Non-compliance is the result of her failure to comply with Stipulation Number Six (6) of the Order, which reads, in pertinent part:
 - (6) "RESPONDENT SHALL CAUSE each present employer in vocational 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 failed to submit a "Notification of Employer" form to the Board of Nurse Examiners until October 31, 2006, although she had been employed with Covenant Health System, Lubbock, Texas, since August 2004.

15. In response to Finding of Fact Number Fourteen (14), Respondent states, "the Notification of Employer was given to my nurse manager when received. I was not aware that it was not sent in or that the Board did not receive it until October 31, 2006. Although I had been employed with Covenant Health System since August 2004, I followed the order #6 on page 6, not as an indication of new employment, but of notification of where I was employed at the time the order was received by me."
16. On or about September 6, 2007, Respondent submitted a letter of resignation to Covenant Health System, Lubbock, Texas, requesting to "go PRN at COVHS, effective 9-8-07," which would have been in direct violation of Stipulation Number Seven (7) of the Agreed Order issued to her on June 16, 2006 by the Board of Nurse Examiners for the State of Texas, which states in pertinent part:
 - (7) "...RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s)...Multiple employers are prohibited."
17. In response to Finding of Fact Number Sixteen (16), Respondent states, "I submitted a letter to Human Resources and my nurse manager, requesting to be released from the schedule effective immediately. I was informed that I would need to work out my two week notice prior to changing to a PRN status. The new job required I start the following Monday on September 10, 2007. I realized I could not hold a PRN status at Covenant Health Systems and work at Q&S Pain Management at the same time, or I would be in direct violation of the Order from the Board, so I returned to Human Resources, completed a Resignation Notice."
18. On or about November 10, 2007, Respondent caused the submission of a fraudulent "Nursing Performance Evaluation" indicating that she had been employed by one employer for the months of August, September, and October 2007, and that she was performing satisfactorily. Respondent resigned from Covenant Health System, Lubbock, Texas, on September 6, 2007, and was employed with Q & S Pain Management, Lubbock, Texas, from September 10, 2007 until her termination on October 18, 2007. Respondent's conduct deceived patient, fellow care givers, the public and the Board of Nurse Examiners for the State of Texas in that they believed that Respondent's nursing practice was in compliance with the Nursing Practice Act and all Board Rules and Regulations.
19. On or about January 8, 2008, Respondent was terminated from Southwest Regional Medical Complex, Lubbock, Texas, in part due to "too many call in's during probationary period & poor/substandard care given."

20. In response to Finding of Fact Number Nineteen (19), Respondent states, "the Corrective Action form I signed, dated January 7, 2008, was for unscheduled absences, resulting in termination of employment...I understood the only unsatisfactory performance was related to excessive call-ins...I was never informed, verbally or written, of poor or sub-standard care...It was my understanding that I left with the mutual agreement of the director of nursing due to unscheduled absences."
21. On or about January 25, 2008, while employed as a Licensed Vocational Nurse with Whisperwood Nursing and Rehabilitation Center, Lubbock, Texas, Respondent administered 4 units of Lantus and 3 units of Novolog to Resident O.S., without a valid physician's order. Respondent failed to properly identify the resident, and administered medication to the wrong resident. Respondent's conduct placed the patient at risk of developing symptoms of hypoglycemia which include mental disturbances, delirium, coma and possibly even death.
22. In response to Finding of Fact Number Twenty-one (21), Respondent states, "I, Philisha Hanes, was giving the morning insulin and went to give Lantus 4 units and Novolog 3 units to a patient in the Alzheimers unit. The CNA told me that the patient was in his room. I went into the room and gave Mr. S----- the insulin. K-----, my preceptor came in the room right after I had given the insulin and informed me that Mr. S----- was the wrong patient. The patient's blood glucose was 105. The patient was given five 8oz orange juices, seven packets of sugar and one peanut butter sandwich. K----- went to the front desk and called the family and informed them of the incident and called EMS....This was my second day to work in this facility. This medication error could have been prevented if my preceptor had been with me at the time of administration of the insulin and if the patients in this facility had arm bands on that identify the patient with their name and their date of birth."
23. On or about February 8, 2008, Respondent caused the submission of a fraudulent "Nursing Performance Evaluation" indicating that she had been employed by one employer for the months of November and December 2007, and January 2008, and that she was performing satisfactorily. Respondent was employed with Southwest Regional Medical Center, Lubbock, Texas, from November 5, 2007 until her termination on January 8, 2008, and Respondent was employed with Whisperwood Nursing from January 18, 2008, until her termination on January 25, 2008. Respondent's conduct deceived patient, fellow care givers, the public and the Board of Nurse Examiners for the State of Texas in that they believed that Respondent's nursing practice was in compliance with the Nursing Practice Act and all Board Rules and Regulations.
24. In response to Finding of Fact Number Twenty-three (23), Respondent states, "I gave the Nursing Performance Evaluations to my employers when I received them, as instructed...I would never willingly or knowingly submit to you or anyone a fraudulent document."

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 of Section 301.452(b)(1), (10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A), (B),(C),(D),(G)&(H), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(6)(A), (H)&(I)&(11)(B).
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 191057, heretofore issued to PHILISHA LEIGH ANN HANES, including revocation of Respondent's license to practice vocational 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 a REPRIMAND 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 this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice nursing in compact states.

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 that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of one thousand dollars (\$1,000.00). RESPONDENT SHALL pay this fine within ninety (90) 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.

(2) 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) contact 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>

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, 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.state.tx.us/disciplinaryaction/stipscourses.html>

(4) 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>.

(5) 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 this workshop may be found at the following web address:* <http://www.learningext.com/products/generalce/critical/ctabout.asp>.

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 TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE 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. 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. 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) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse or a Licensed Vocational Nurse. Direct supervision requires another professional or vocational nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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) For the remainder of the stipulation/probation period, RESPONDENT SHALL be supervised by a Registered Nurse or 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.

(10) 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 Registered Nurse or Licensed Vocational 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 two (2) years 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 and RESPONDENT shall be eligible for multistate licensure 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. 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 6 day of March, 2009.

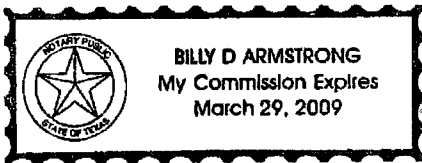
Philisha L. Hanes
PHILISHA LEIGH ANN HANES, Respondent

Sworn to and subscribed before me this 6th day of March, 2009.

SEAL


Billy D. Armstrong

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 6th day of March, 2009, by PHILISHA LEIGH ANN HANES, Vocational Nurse License Number 191057, and said Order is final.

Effective this 23rd day of April, 2009.



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

**BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS**

In the Matter of Vocational Nurse	§	AGREED
License Number 191057	§	
issued to PHILISHA LEIGH ANN HANES	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of PHILISHA LEIGH ANN HANES, Vocational Nurse License Number 191057, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Texas Occupations Code Section 301.452(b)(10). Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on March 9, 2006, 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.
2. Respondent waived representation by counsel, informal conference, 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 Childress Regional Medical Center Vocational School, Childress, Texas, on August 15, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on October 14, 2003.

5. Respondent's vocational nursing employment history includes:

10/2003 - 04/2004	Staff Nurse	The University Medical Center Lubbock, Texas
05/2004 - Present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with University Medical Center (UMC), Lubbock, Texas, and had been in this position for six (6) months.
7. On or about April 2, 2004, while employed with UMC, Lubbock, Texas, Respondent failed to complete a Memorandum of Transfer (MOT) for Patient 2981382, as required by UMC policy for all patients whose condition warrants transfer to another medical treatment facility. Respondent's conduct may have delayed the transfer of the patient and subsequently delayed medical treatment.
8. On or about April 8, 2004, while employed with UMC, Lubbock, Texas, Respondent failed to administer Unasyn, an antibiotic, via Intravenous (IV) infusion to Patient 2989074, as ordered by the physician. Subsequently, the oncoming shift's nurse discovered the IV tubing was connected to the patient's central venous catheter, instead of the peripheral IV line. Respondent's conduct was likely to injure the patient from adverse reactions and/or possible demise from infusing a medication via the wrong route, as specified by the physician.
9. On or about April 13, 2004, while employed with UMC, Lubbock, Texas, the physician ordered an IV bag of D5RL with twenty (20) milliequivalents (meq.) of Potassium (KCL) for Patient 2996995. The oncoming shift's nurse discovered that the patient's IV bag may have actually contained forty (40) meq. of KCL, because Respondent had added a tag on the IV bag indicating that she added (20) meq. of Potassium (KCL), in addition to the twenty (20) meq. which was already contained in the bag. Respondent's conduct was likely to injure the patient from complications associated with receiving twice the amount of prescribed Potassium, including low blood pressure, seizures, irregular heartbeat and/or possible demise.
10. In response to Finding of Fact Number Seven (7), Respondent states this was the first time she had filled out a MOT and the unit secretary had offered to complete the MOT for her. In response to Finding of Fact Number Eight (8), Respondent states "I do make mistakes. It is entirely possible that I did so in this case" Furthermore, Respondent denies Finding of Fact Number Nine (9), stating she had several IV bags to hang, so she attached "medication added" stickers on the bags. However, she marked out any additional or duplicate "medication added" stickers when she put the IV bags in the patient's rooms.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(2),(3)&(27)(K).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 191057, heretofore issued to PHILISHA LEIGH ANN HANES, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Vocational Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice vocational nursing in compact states.

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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to PHILISHA LEIGH ANN HANES, to the office of the Board of Nurse Examiners within ten (10) days from the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. 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) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A LICENSED VOCATIONAL 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 (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in vocational nursing of this Order of the Board and the stipulations on RESPONDENT's license. 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. 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.

(6) RESPONDENT SHALL CAUSE each present employer in vocational 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 vocational nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse or 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.

(8) 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 vocational nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational 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) months for one (1) year of employment as a vocational nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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. 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of May, 2006.

Philisha Leigh Ann Hanes
PHILISHA LEIGH ANN HANES, Respondent


Sworn to and subscribed before me this 15th day of May, 2006.



Elvira Beta Lara
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 15th day of May, 2006____, by PHILISHA LEIGH ANN HANES, Vocational Nurse License Number 191057, and said Order is final.

Effective this 13th day of June, 2006_____.


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