



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.
Patricia Thomas
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 562829 § REINSTATEMENT
issued to BRENDA ANN LARA § AGREED ORDER

On this day came to be considered by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the Petition for Reinstatement of registered nurse license number 562829, held by BRENDA ANN LARA, hereinafter referred to as Petitioner

An informal conference was held on March 1, 2005, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was represented by Christopher Malish, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Paul Longoria, Investigator; Jon Teisher, Investigator; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived notice and hearing, and consented to the entry of this Order.
3. Petitioner received a Diploma in Nursing from Methodist Hospital, Lubbock, Texas, in May 1990. Petitioner was originally licensed to practice professional nursing in the State of Texas on August 31, 1990.
4. Petitioner's professional employment history includes:

8/90 - 10/91

GN/Staff Nurse

Methodist Hospital
Lubbock, Texas

Professional employment history continued:

10/91 - 9/92	Home Health Case Manager	Visiting Nurses Lubbock, Texas
8/92 - 1/93	RN/Home Health	Kimberly Quality Care Lubbock, Texas
1/93 - 1/93	RN/Home Health	Calvert Home Health Lubbock, Texas
1/93 - 5/95	Care Manager/Home Health	Great Plains Health Services Lubbock, Texas
6/95 - 10/95	RN/Home Health	Health Care Unlimited McAllen, Texas
11/95 - 11/96	Quality Assurance Nurse/ Office Manager	MedCare Home Health Edinburg, Texas
12/96 - 1/97	Unknown	
2/97 - 3/98	RN/Home Health	Healing Hands Home Health San Antonio, Texas
3/98 - 2/99	Staff Nurse/Telephone Triage	United Health Care San Antonio, Texas
3/99 - 9/99	Unknown	
10/99 - 2/00	Surveyor	University of Montana Missoula, Montana
2/00 - 1/01	Charge Nurse	Mineral Community Hospital Superior, Montana
1/01 - 11/01	ER Staff Nurse	Edinburg Regional Hospital Edinburg, Texas

Professional employment history continued:

12/01 - 3/02	Staff Nurse	Integrated Health Services Lubbock, Texas
3/02 - 7/02	Unknown	
7/02 - 9/02	Charge Nurse	Riverside Health Care Center Missoula, Montana
9/02 - 4/03	Patient Care Coordinator	Village Health Care Missoula, Montana
4/03 - 10/03	Float Nurse	Community Medical Center Missoula, Montana
6/04 - 8/04	ICU Staff Nurse	Shiprock Hospital Farmington, New Mexico
11/03 - 12/04	ER Staff Nurse	Browning Hospital Farmington, New Mexico
12/04 - present	ER Staff Nurse	Crownpoint Healthcare Crownpoint, New Mexico

5. On July 12, 1994, Petitioner was issued the sanction of Stipulations by the Board of Nurse Examiners for the State of Texas. A copy of the July 12, 1994, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
6. On December 8, 1998, Petitioner's license to practice professional nursing in the State of Texas was suspended, with the suspension stayed, and Respondent was placed on probation by the Board of Nurse Examiners for the State of Texas. A copy of the December 8, 1998, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
7. On September 26, 2003, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing. A copy of the September 26, 2003, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as a part of this Order.

8. On or about September 21, 2004, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
9. Petitioner presented the following in support of her petition:
 - 9.1. Letter, dated September 3, 2004, from Gary Hachadourian, PhD., Farmington, New Mexico. Dr. Hachadourian states Petitioner was a patient of his in psychotherapy during July and August 2004. The reasons for her half-dozen visits were personal and not related to her professional status. There was no diagnosis pertinent to her ability to work. Dr. Hachadourian is not aware of any problems in her most recent assignment in New Mexico, nor does he know of any reason why she could not practice nursing safely and competently.
 - 9.2. Letter of support, dated September 2, 2004, from Reue Verbus, RN, Farmington, New Mexico. Ms. Verbus states she has been Petitioner's Supervisor for the last year as she has worked different Emergency Rooms for IHS System. Petitioner is consistent, dependable and accurate in carrying out responsibilities to a successful conclusion. She can be counted on to be level headed and effective, and to achieve results in an emergency situation. Petitioner is correctly charting her assessments and continues to chart effectively throughout her care of patients. Petitioner recognizes the need for accurate documentation in the evaluation process. She has shown her upstanding skills in the Emergency Room and cares for her patients and treats them with the utmost respect. Ms. Verbus would recommend Petitioner for any position that she may apply for.
 - 9.3. Letter of support, dated September 12, 2004, from Carol G. Mayon, RN, BSN, Lubbock, Texas. Ms. Mayon states she has known Petitioner since 1990. Petitioner has matured through years of experience working as a registered nurse in Texas and Montana. She understands the importance of accurate and thorough documentation. Petitioner is conscientious and willing to seek assistance and/or continuing education when given unfamiliar assignments. She is stable and capable to work as a registered nurse in the State of Texas, and is very dedicated to her patients.
 - 9.4. Letter of support from Mary Higgins, RN, Hartley, Iowa. Ms. Higgins states she worked with Petitioner in Edinburg, Texas, in the year 2000. At that time, Petitioner performed her duties as a registered nurse. She was a stable registered nurse and was able to perform her duties.
 - 9.5. Letter of support, dated February 28, 2004, from Karen Muich, RN, Acting Director of Nursing, Crownpoint Healthcare, Crownpoint, New Mexico (Indian Health Services), since December 2004. Petitioner functions as a Registered Nurse in the Emergency Room department. She performs at a satisfactory level and practices within the boundaries of facility policies and procedures.

- 9.6. Letter of support, dated February 25, 2005, from Sarah Morlang. Ms. Morlang states she has been working with Petitioner for the past several months. Petitioner has excellent Emergency Room skills and Ms. Morlang would feel very comfortable having her by her side in any trauma situation. Petitioner has very good bedside manners and is very compassionate with the patients.
- 9.7. Letter of support, dated February 25, 2005, from Henry Holmes, RN, BSN. Mr. Holmes states Petitioner has been working in the Crownpoint Emergency Room for the last several months. Mr. Holmes states she is a very efficient ER nurse with good assessment skills. Petitioner is very well organized with her charting and her nursing care.
- 9.8. Documentation of twenty (20) Type 1 contact hours.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that the petition of BRENDA ANN LARA, license number 562829, to practice professional nursing in the state of Texas, be and the same is hereby GRANTED SUBJECT TO THE FOLLOWING CONDITIONS SO LONG AS THE PETITIONER complies 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 §211.01 *et. seq.* and the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's multistate licensure privilege, if any, to practice professional nursing in the State of Texas

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner 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 Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a minimum 24-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to BRENDA ANN LARA, shall be subject to the following agreed post-licensure stipulations:

(6) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing jurisprudence. PETITIONER 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 must include registered nurses. It must 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. PETITIONER 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 PETITIONER's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses can be found on the Board's website www.bne.state.tx.us (under BNE events).*

(7) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in medication administration. PETITIONER 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. 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. PETITIONER SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify PETITIONER'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).*

(8) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in physical assessment. PETITIONER 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. To be approved, the course shall cover all systems of the body. 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.

PETITIONER SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify PETITIONER'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).*

(9) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing documentation. PETITIONER 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. PETITIONER SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify PETITIONER'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 PETITIONER PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL 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 REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(10) PETITIONER SHALL notify all future employers in professional nursing of this Order of the Board and the stipulations on PETITIONER's license. PETITIONER 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.

(11) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a professional nurse.

(12) For the first year of employment as a Registered Nurse under this Order, PETITIONER SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). The PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(13) For the remainder of the stipulation period, PETITIONER SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(14) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER's capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for two (2) years of employment as a professional nurse.

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

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 16 day of May, 2005.

Brenda Lara
BRENDA ANN LARA, Petitioner

Sworn to and subscribed before me this 16th day of May, 2005.

SEAL

James Toland
Notary Public in and for the State of New Mexico

Approved as to form and substance.

Christopher Malish
CHRISTOPHER MALISH, Attorney for Petitioner

Signed this 24 day of May, 2005.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 16th day of May, 2005, by BRENDA ANN LARA, license number 562829, and said Order is final.

Effective this 21st day of July, 2005.



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 License Number 562829 § AGREED
issued to BRENDA ANN LARA § ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of License Number 562829, issued to BRENDA ANN LARA, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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, 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 a Diploma in Nursing from Methodist Hospital, Lubbock, Texas, in May 1990. Respondent was licensed to practice professional nursing in the State of Texas in August 1990.

5. Respondent's professional employment history includes:

8/90 to 10/91	Staff Nurse	Methodist Hospital Lubbock, Texas
10/91 to 9/92	Home Health Case Manager	Visiting Nurses Lubbock, Texas
8/92 to 1/93	RN/ Home Health	Kimberly Quality Care Lubbock, Texas
1/93 to 1/93	RN/ Home Health	Calvert Home Health Lubbock, Texas
1/93 to 5/95	Case Manager/Home Health	Great Plains Health Services Lubbock, Texas
6/95 to 10/95	RN/ Home Health	Health Care Unlimited McAllen, Texas
11/95 to 11/96	Quality Assurance Nurse Office Manager	MedCare Home Health Edinburg, Texas
12/96 to 1/97	Unknown	
2/97 to 3/98	RN/ Home Health	Healing Hands Home Health San Antonio, Texas
3/98 to 2/99	Staff Nurse/telephonic triage	United Health Care San Antonio, Texas
3/99 - 9/99	Unknown	
10/99 - 2/00	Surveyor	University of Montana Missoula, Montana
2/00 - 1/01	Charge Nurse	Mineral Community Hospital Superior, Montana
1/01 - 11/01	ER Staff Nurse	Edinburg Regional Hospital Edinburg, Texas
12/01 - 3/02	Staff Nurse	Integrated Health Services Lubbock, Texas
3/02 - present	Unknown	

6. On July 12, 1994, Respondent was issued an Agreed Order of one (1) year of Stipulations by the Board of Nurse Examiners for the State of Texas. A copy of the July 12, 1994, Agreed Order, Findings of Facts, and Conclusions of Law, are attached and incorporated, by reference, as part of this Order.

7. On December 8, 1998, Respondent was issued a Suspend/Probate Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the December 8, 1998, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as part of this Order.
8. At the time of the initial incident, Respondent was employed as a Staff Nurse in the Emergency Room with Edinburg Regional Hospital, Edinburg, Texas, and had been in this position for six (6) months.
9. On or about July 6, 2001, while employed at Edinburg Regional Medical Center, Edinburg, Texas, Respondent failed to assess the neurological status of Patient #313955, Patient #301317, Patient #313856 and Patient #313857, who were admitted to the Emergency Room following a motor vehicle accident. Respondent's conduct deprived subsequent caregivers of vital information on which to base their medical care or institute timely medical interventions.
10. On or about August 27, 2001, while employed at Edinburg Regional Medical Center, Edinburg, Texas, Respondent failed to take vital signs of Patient # 315951, while the patient underwent conscious sedation. Respondent's conduct deprived subsequent caregivers of vital information on which to base their medical care or to institute timely medical interventions.
11. On or about August 27, 2001, while employed at Edinburg Regional Medical Center, Edinburg, Texas, Respondent failed to obtain consent for conscious sedation from Patient # 315951. Respondent's conduct deprived the patient of full disclosure of the specific risks and hazards involved with the procedure.
12. On or about October 8, 2001, while employed at Edinburg Regional Medical Center, Edinburg, Texas, Respondent failed to document the site of an injection of 0.5 mg of Tetanus and 1 gm of Rocephin administered to Patient #317748. In addition, Respondent failed to document the patient's response to the medications. Respondent's conduct deprived subsequent caregivers of vital information on which to base their medical care.
13. On or about November 9, 2001, while employed at Edinburg Regional Medical Center, Edinburg, Texas, Respondent failed to document that a two (2) year old patient, who was admitted to the Emergency Room following an unrestrained motor vehicle accident, had a 3½ cm scalp laceration and contusions over the right mastoid and occipital area. Respondent's conduct deprived subsequent caregivers of essential and vital information required to institute timely medical interventions.
14. Charges were filed on September 19, 2002 and mailed to Respondent on September 22, 2003.
15. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice professional nursing in the State of Texas.

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, 22 TEX. ADMIN. CODE §217.11 (7), and 22 TEX. ADMIN. CODE §217.12(2) and (4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 562829, heretofore issued to BRENDA ANN LARA, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452(b), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of License Number 562829, heretofore issued to BRENDA ANN LARA, to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to BRENDA ANN LARA, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order;
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice professional 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

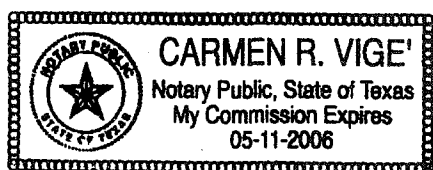
Signed this 25th day of Sept, 2003.

Brenda Lara
BRENDAN LARA, Respondent
Brenda Ann Lara

Sworn to and subscribed before me this 25th day of Sept, 2003

SEAL

Carmen R. Vige'
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of License Number 562829, previously issued to BRENDA ANN LARA.

Effective this 26th day of September, 2003.



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 Permanent Certificate §
Number 562829 issued to § AGREED ORDER
BRENDA ANN LARA §

An investigation by the Board produced evidence indicating that Brenda Ann Lara, hereinafter referred to as Respondent, may have violated Article 4525(b)(9) & (12), Revised Civil Statutes of Texas, as amended.

An informal conference was held on February 18, 1997, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Respondent appeared in person. Respondent was represented by Susan Henricks, Attorney at Law. In attendance were Penny Puryear Burt, RN, J.D., Of Counsel; Anthony L. Diggs, Director of Investigations; Karen Burk, RN, Investigator; and Noemi Leal, Senior Investigator.

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 notice and hearing, and consented to the entry of this order.
3. Respondent is currently licensed to practice professional nursing in Texas.
4. Respondent graduated from a Diploma Nursing Program from Methodist Hospital, Lubbock, Texas in May 1990.

5. Respondent's professional employment history includes:

August 1990 to October 1991	Staff Nurse Methodist Hospital Lubbock, Texas
October 1991 to August 1992	Home Health Case Manager Visiting Nurses Lubbock, Texas
August 1992 to January 1993	RN/ Home Health Kimberly Quality Care Lubbock, Texas
January 1993 to January 1993	RN/ Home Health Calvert Home Health Lubbock, Texas
January 1993 to May 1995	Case Manager/Home Health Great Plains Health Services Lubbock, Texas
June 1995 to October 1995	RN/ Home Health Health Care Unlimited McAllen, Texas
November 1995 to November 1996	Quality Assurance Nurse/Office Manager MedCare Home Health Edinburg, Texas
February 1997 to March 1998	RN/ Home Health Healing Hands Home Health San Antonio, Texas
March 1998 to Present	Staff Nurse/ telephonic triage United Health Care San Antonio, Texas

6. Respondent's license to practice professional nursing was placed on stipulations for one (1) year by the Board of Nurse Examiners on July 12, 1994. A copy of the Order is attached and incorporated by reference as part of this order.

7. At the time of the incidents, Respondent was employed as a Case Manager with Great Plains Health Services, Lubbock, Texas and was in this position from January 1993 to May 1995.

8. Respondent, while employed with the aforementioned facility, failed to document the administration of insulin in the patients' medical records, i.e.;

<u>DATE</u>	<u>PATIENT</u>	<u>PHYSICIAN'S ORDER</u>
10/22/94	0005	Humulin N, 15u, q. a.m. S.Q.
10/23/94	0005	Humulin N, 15u, q. a.m. S.Q.
10/24/94	0005	Humulin N, 15u, q. a.m. S.Q.
10/26/94	0005	Humulin N, 15u, q. a.m. S.Q.
10/27/94	0005	Humulin N, 15u, q. a.m. S.Q.
11/01/94	0005	Humulin N, 15u, q. a.m. S.Q.
11/05/94	0005	Humulin N, 15u, q. a.m. S.Q.
11/17/94	0005	Humulin N, 15u, q. a.m. S.Q.
11/19/94	0005	Humulin N, 15u, q. a.m. S.Q.
11/26/94	0005	Humulin N, 15u, q. a.m. S.Q.
01/27/94	0005	Humulin N, 15u, q. a.m. S.Q.
11/28/94	0005	Humulin N, 15u, q. a.m. S.Q.
12/05/94	0005	Humulin N, 15u, q. a.m. S.Q.
12/09/94	0005	Humulin N, 15u, q. a.m. S.Q.
12/12/94	0005	Humulin N, 15u, q. a.m. S.Q.
12/14/94	0005	Humulin N, 15u, q. a.m. S.Q.

Respondent's conduct was likely to injure patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in patient developing hypoglycemia.

9. Respondent, while employed with Great Plains Health Services, Lubbock, Texas, failed to report to the physician the elevated blood sugar level of patient number 0003. The physician's order required reporting blood sugar levels lower than 100 or greater than 150. Respondent failed to report the following:

<u>DATE</u>	<u>BLOOD SUGAR LEVEL</u>
03/21/95	212 mg/dl
03/22/95	156 mg/dl
03/24/95	162 mg/dl
03/27/95	162 mg/dl
04/07/95	198 mg/dl
04/08/95	166 mg/dl
04/09/95	158 mg/dl
04/12/95	162 mg/dl
04/14/95	197 mg/dl
04/19/95	174 mg/dl
04/20/95	160 mg/dl
04/28/95	161 mg/dl

Respondent's conduct exposed the patient unnecessarily to a risk of harm in that failure to report the blood sugar levels to the physician may have prevented the physician from evaluating the efficaciousness of the treatment regimen.

10. Respondent, while employed with the aforementioned facility, failed to perform a venipuncture for complete blood count, as ordered by the physician for the months of July 1994, September 1994, November 1994, December 1994 and February 1995 for patient number 0001. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that failure to obtain the ordered diagnostic test may have prevented the physician from evaluating the efficaciousness of the treatment regimen.
11. Respondent, while employed with the aforementioned facility, on or about September 1, 1994, failed to document a physician's order for Tylenol in the medical record for patient number 0001. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that subsequent care givers would rely on the documented orders to medicate the patient.
12. Respondent, while employed with the aforementioned facility, failed to administer B-12 injections to patient number 0001 as ordered by the physician for the months of March, July, September, October and November 1994. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that failure to administer the ordered B-12 injections to the patient as ordered could have resulted in the recurrence of the condition for which the patient was being treated.
13. Respondent, while employed with the aforementioned facility, administered an incorrect dose of insulin and prefilled syringes with incorrect doses of insulin for the following patients:

Date	Patient	Physician's Order	Dose Given/Prefilled
04/19/94	0002	Humulin N 50u a.m.	Prefilled 3 syringes with Humulin N 40u am
04/26/94	0002	Humulin N 50u a.m.	Prefilled 7 syringes with Humulin N 40u am
11/22/94	0005	Humulin N, 15u, q a.m. S.Q.	Prefilled 7 syringes with 35 units a.m.
12/26/94	0005	Humulin N, 15u, q a.m. S.Q.	Prefilled 7 syringes with 35 units a.m.
01/03/95	0005	Humulin N, 15u, q a.m. S.Q.	Prefilled 7 syringes with 35 units a.m.
01/17/95	0005	Humulin N, 15u, q a.m. S.Q.	Prefilled 7 syringes with 35 units a.m.
01/24/95	0005	Humulin N, 15u, q a.m. S.Q.	Prefilled 7 syringes with 35u
01/30/95	0005	Humulin N, 15u, q a.m. S.Q.	Prefilled syringes with 35u
02/14/95	0005	Humulin N, 15u, q a.m. S.Q.	Prefilled syringes with 30u
02/21/95	0005	Humulin N, 15u, q a.m. S.Q.	Prefilled syringes with 35u
04/13/95	0004	Humulin 30u a.m.	Administered 38 units a.m.
04/15/95	0004	Humulin 30u a.m.	Administered 38 units a.m.
04/16/95	0004	Humulin 30u a.m.	Administered 38 units a.m.

Respondent's conduct exposed the patient unnecessarily to a risk of harm in that failure to administer or prefill syringes with the correct amount of insulin could result in failure to maintain the patient's blood sugar control.

14. Respondent, while employed with the aforementioned facility, prefilled syringes with insulin for patients without a physician's order, as follows:

<u>DATE</u>	<u>PATIENT</u>	<u>NUMBER OF SYRINGES PREFILLED</u>
4/10/94	0002	Prefilled 2 syringes
4/12/94	0002	Prefilled 2 syringes
4/26/94	0002	Prefilled 7 syringes with 40 units a.m. and prefilled 7 syringes with 30 units p.m.
11/3/94	0005	Prefilled syringes with 15 units

Respondent's conduct exposed the patient unnecessarily to a risk of harm in that prefilling syringes without a physician's order may result in the patient self administering an incorrect amount of insulin.

15. Respondent provided evidence that the foregoing incidents occurred during a period of extreme mental anguish and distress due to her involvement in a sharply contested divorce and custody dispute with her former husband. Respondent admits that she failed to completely and accurately document all treatments, medication administration and other nursing interventions she performed.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, 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 Article 4525(b)(9) & (12), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.11 (6), (7) & (12), and 22 TEX. ADMIN. CODE §217.13(3), (4) & (5).
4. The evidence received is sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 562829, heretofore issued to BRENDA ANN LARA.

AGREED SANCTIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that License Number 562829, previously issued to BRENDA ANN LARA, to practice professional nursing in Texas is hereby SUSPENDED, the suspension is stayed and Respondent is placed on probation for two (2) years. RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and this order.

IT IS FURTHER AGREED the license-issued to BRENDA ANN LARA, shall be subject to the following probation conditions for two (2) years of employment as a professional nurse:

(1) RESPONDENT SHALL deliver the wallet-size license issued to , to the office of the Board of Nurse Examiners within ten (10) days of the date of this order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this order, successfully complete a course in Nursing Jurisprudence. 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 must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content should 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 is to be taken in addition to any continuing education requirements the Board may have for relicensure.

(3) Upon securing employment in a hospital setting, RESPONDENT SHALL successfully complete an orientation supervised by a registered nurse. The orientation shall include instruction in documentation, medication administration, nursing process to include assessment, planning, implementation and evaluation. RESPONDENT SHALL CAUSE the supervising registered nurse to submit to the Board written notification of Respondent's successful completion of the orientation.

(4) RESPONDENT SHALL notify each present employer in professional nursing of this order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this order to each present employer within five (5) days of notification of this order. RESPONDENT SHALL notify all potential employers in professional nursing of this order of the Board and the stipulations RESPONDENT's license. RESPONDENT SHALL present a copy of this order to each potential employer prior to employment.

(5) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form to the Board's office within ten (10) days of notification of this order. RESPONDENT SHALL CAUSE each potential employer to submit the Notification of Employment form to the Board's office within five (5) days of employment as a professional nurse.

(6) For the first year of employment as a Registered Nurse, RESPONDENT SHALL be directly supervised by a registered nurse, who will act as Respondent's preceptor. Direct supervision requires the preceptor to be working on the same unit as RESPONDENT and readily 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 or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) For the remainder of the probation period, RESPONDENT SHALL be supervised by a registered nurse who is on the premises. The supervising RN 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. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency 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 by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the registered nurse who supervises the RESPONDENT. These reports shall be submitted to the office of the Board at the end of each three (3) months for two (2) years of employment as a professional nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this order, RESPONDENT SHALL be issued an unencumbered license to practice professional 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. By my signature on this order, I agree to the Findings of Fact, Conclusions of Law, Agreed Sanctions, and any stipulation of this order to avoid further disciplinary action in this matter. I consent to the issuance of the Agreed Sanctions. I waive judicial review of this order. I understand that this order is subject to ratification by the Board. When the order is ratified, the terms of this order become effective, and a copy will be mailed to me.

Signed this 24 day of October, 1998.

Brenda Ann Lara
BRENDA ANN LARA, Respondent

Sworn to and subscribed before me this 24th day of October, 1998.

SEAL

Jan Yeary
Notary Public in and for the State of Texas

Approved as to form and substance.

Susan Henricks
Susan Henricks, Attorney for Respondent

Signed this 28th day of October, 1998.

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 24th day of October, 1998, by BRENDA ANN LARA, license number 562829, and said order is final.

Effective this 8th day of December, 1998.



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 Permanent Certificate §
Number 562829 issued to §
BRENDA ANN HARRISON §

AGREED ORDER

An investigation by the Board produced evidence indicating that BRENDA ANN HARRISON, hereinafter referred to as Respondent, may have violated Article 4525(b)(9), Revised Civil Statutes of Texas as amended.

An informal hearing was held on May 17, 1994, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Respondent appeared in person. In attendance were Cady Crismon M.S.N., R.N., C.N.S., Director of Practice and Compliance; Roy Rawls, Assistant General Counsel; and Cynthia McRae, Investigator.

FINDINGS OF FACTS

- 1) Respondent is currently licensed to practice professional nursing in the State of Texas.
- 2) Respondent graduated from a Diploma Program at Methodist Hospital, Lubbock, Texas. She became licensed as a Registered Nurse in the State of Texas in August, 1990.
- 3) Respondent was employed as a Staff Nurse in a hospital setting from approximately August, 1990 to August, 1991.
- 4) Respondent began employment as a PRN home health nurse for Visiting Nurses Association in Lubbock from Approximately August, 1991 to August, 1992.
- 5) Respondent began employment as a PRN home health nurse for Kimberly Quality Care, Lubbock, Texas in approximately August, 1992.

- 6) On or about December 24, 1992 and December 25, 1992, while employed at Kimberly Quality Care, Lubbock, Texas. Respondent falsely documented home-health visits that she did not make in the Nursing Notes of patient WC which included an assessment. Respondent was terminated from Kimberly Quality Care on January 12, 1993.
- 7) Respondent is currently employed as PRN staff nurse for University Medical Center, Lubbock, Texas and PRN home health nurse for Great Plains Home Health, Lubbock, Texas.

CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended the Board has jurisdiction over this matter.
2. That the evidence received was sufficient to prove violation(s) of Article 4525(b)(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(5).
3. That the activities of the Respondent constituted sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 562829, heretofore issued to BRENDA ANN HARRISON.

AGREED TERMS, STIPULATIONS AND CONDITIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that Respondent receive the discipline of stipulations to practice as follows for one (1) year:

(1) Respondent shall comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and the Terms, Stipulations and Conditions of this Order.

(2) IT IS FURTHER AGREED that the wallet-size license issued to BRENDA ANN HARRISON, be delivered to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(3) RESPONDENT shall notify each present employer in professional nursing of this Order of the Board and the stipulations/probation conditions on RESPONDENT's license. RESPONDENT shall present a copy of this Order to each present employer within five (5) days of notification of this Order. RESPONDENT shall notify all potential employers in professional nursing of this Order of the Board and the stipulations/probation conditions on RESPONDENT's license. RESPONDENT shall present a copy of this Order to each potential employer prior to employment.

(4) RESPONDENT shall, within one (1) year of entry of this Order, successfully complete a course in Nursing Jurisprudence. RESPONDENT shall obtain Board approval of course prior to enrollment. Home Study courses will not be approved. RESPONDENT shall cause the sponsoring institution to submit a Verification of Completion form to verify RESPONDENT's successful completion of the course.

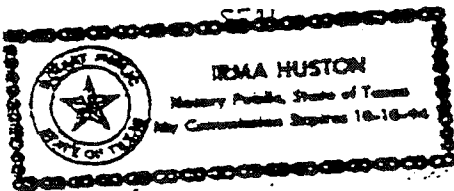
RESPONDENT'S CERTIFICATION

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 truth of the matters previously set out. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Terms, Stipulations and Conditions to avoid further disciplinary action in this matter; and, I consent to the issuance of this discipline. I waive my right to a hearing and judicial review of this Order. I understand that this Order is subject to ratification by the Board and becomes effective when signed by the Executive Director of the Board.

Dated this 2nd day of June, 1994.

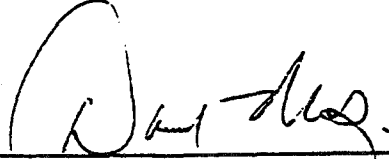
Brenda Ann Harrison
BRENDA ANN HARRISON

Sworn to and subscribed before me this 2nd day of June, 1994.



Irma Huston
Notary Public in and for the State of Texas

Approved as to form and substance.



David Martinez, Attorney for Respondent

Dated this ind day of June, 1994.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order signed by BRENDA ANN HARRISON, license number 562829, on the 2nd day of June, 1994, and said Order is final.

Signed this 12 day of July, 1994.



Louise Waddill, Ph.D., R.N.
Executive Director on behalf
of said Board