

IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 629977
ISSUED TO
DAVID C. DASSO

§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING

ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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 A. Plummer
Executive Director of the Board

ORDER OF THE BOARD

TO: David C. Dasso
2500 E. 22nd St. #204
Austin, Texas 78722

During open meeting held in Austin, Texas, on May 14, 2013, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and

will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

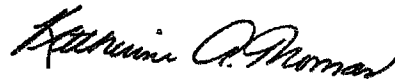
NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 629977, previously issued to DAVID C. DASSO, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 14th day of May, 2013.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed January 11, 2013.

Re: Permanent Registered Nurse License Number 629977
Issued to DAVID C. DASSO
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

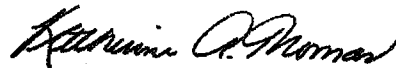
I hereby certify that on the 14th day of May, 2013, a true and correct copy of the foregoing
DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

David C. Dasso
2500 E. 22nd St. #204
Austin, Texas 78722

Via USPS First Class Mail

David C. Dasso
701 W. Longspur Blvd., Apt 2022
Austin, Texas 78753



BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of
 Permanent Registered Nurse
 License Number 629977
 Issued to DAVID C DASSO,
 Respondent

§ BEFORE THE TEXAS
 §
 §
 §
 § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DAVID C DASSO, is a Registered Nurse holding License Number 629977, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about June 2, 2012, through June 12, 2012, while employed with Christus Santa Rosa Hospital, New Braunfels, Texas, and assigned to the surgical unit, Respondent removed medications from the medication dispensing system for patients, but failed to accurately and/or completely document the administration in the patients' medication administration records (MARs), as follows:

<u>Patient</u>	<u>Physician's Order</u>	<u>Pyxis</u>	<u>eMAR</u>	<u>Waste</u>
AX0008320951	Docusate Sodium 100mg (1) capsule PO BID PRN Constipation	Docusate Sodium (Colace) 100mg (1) capsule withdrawn on: 06/02/12 @ 2011	Not Documented	Not Documented
AX0008323056	Norco 10/325mg (1-2) PO Q4 PRN Moderate to Sever Pain ordered on 06/02/12	Hydrocodone/APAP 10/325 (2) tab withdrawn on: 06/02/12 @ 2210 06/03/12 @ 2055 06/04/12 @ 0133	Not Documented	Not Documented
" "	Lorazepam 1mg (1) tab PO Q4H PRN ordered on 06/01/12, at 1900 Lorazepam 0.5mg (1) tab PO Q4H PRN ordered on 06/02/12, at 1910	Lorazepam 0.5mg (2) tab withdrawn on: 06/02/12 @ 2104	Not Documented	Not Documented

" "	<p>Hydromorphone 2mg (1) ordered on 06/01/12</p> <p>Hydromorphone INJ 1mg/mL (1-2) IV Q3H Severe PRN ordered on 06/02/12, at 1600</p> <p>Hydromorphone INJ 1mg/mL (1) IV Q4H PRN ordered on 06/02/12, at 1910</p> <p>Hydromorphone INJ 1mg/mL (1) IV Q3H Severe PRN ordered on 06/03/12, 1840</p>	<p>Hydromorphone 1mg/mL (2) syringe withdrawn on 06/02/12 @ 1935</p> <p>Hydromorphone 1mg/mL (1) syringe withdrawn on: 06/03/12 @ 0055; and 06/04/12 @ 0501</p>	Not Documented	Not Documented
AX0008321287	<p>Mirtazapine 15mg PO HS SCH ordered on 06/07/12, at 2100</p> <p>Mirtazapine 30mg PO HS SCH ordered on 06/10/12, at 2100</p>	<p>Mirtazapine 15mg (1) tab withdrawn on: 06/09/12 @ 2115 Documented as not being given</p>	Not Documented	Not Documented
" "	<p>Insulin Glargine INJ 15 Unit subcut HS SCH ordered on 06/01/12, at 2100</p> <p>Insulin Glargine INJ 15 Unit subcut QAM SCH ordered on 06/10/12, at 0900</p>	<p>Insulin Glargine (Iantus) 100units 1mL unit (15) withdrawn on: 06/09/12 @ 2115</p>	Not Documented	Not Documented
" "	<p>Ondansetron INJ 4mg IV Q4H PRN Nausea/Vomiting ordered on 05/26/12, at 0430</p>	<p>Ondansetron HCL 2mg 1mL (1) vial withdrawn on: 06/11/12 @ 0619</p>	Not Documented	Not Documented
" "	<p>Amino Acids 5% - DEX 25% 1000mL IV As Directed (63 MLS/HR) SCH ordered on 05/29/12, at 1700</p> <p>Amino Acids 5% - DEX 25% 1000mL IV As Directed (70 MLS/HR) SCH ordered on 05/30/12, at 1700</p>	<p>IV-D5W 5% 1000mL IV withdrawn on: 06/10/12 @ 2123</p> <p>06/12/12 @ 0150</p>	Not Documented	Not Documented
" "	<p>Promethazine INJ 12.5mg IV Q2H PRN Pain</p>	<p>Promethazine HCL 25mg 1mg/mL vial (1) withdrawn on: 06/10/12 @ 2134</p>	Not Documented	Not Documented

AX0008324691	Metoprolol Tartrate 50mg PO One Time Medication ordered on 06/09/12, at 1947	Metoprolol (not long acting) 50mg (1) tab withdrawn on: 06/09/12 @ 1947	Not Documented	Not Documented
" "	Alprazolam 0.25mg PO HS SCH ordered on 06/09/12, at 2100	Alprazolam 0.25mg (1) tab withdrawn on: 06/11/12 @ 2141	Documented as not being given	Not Documented
" "	Digoxin INJ 0.25mg IVP Q6H SCH ordered on 06/10/12, at 1400	Digoxin 0.5mg 2mL (1) ampule withdrawn on: 06/10/12 @ 2110 06/11/12 @ 0249	Documented as giving 0.25mg on: 06/10/12 @ 2000 06/11/12 @ 0915	Not Documented
AX0008324723	Hydromorphone INJ 0.5mg (1) IV Q4 PRN Pain ordered on 06/09/12, at 0830	Hydromorphone 1mg/mL (1) syringe withdrawn on: 06/11/12 @ 2038	Not Documented	Not Documented
" "	Escitalopram 20mg PO HS SCH, ordered on 06/09/12, at 2200	Escitalopram 10mg (2) tab withdrawn on: 06/11/12 @ 2224	Not Documented	Not Documented
" "	Alprazolam 0.5mg PO TID SCH ordered on 06/09/12, at 2100 Alprazolam 0.5mg PO QID PRN ordered on 06/10/12, at 1630 Alprazolam 1mg PO TID SCH ordered on 06/10/12, at 2100	Alprazolam 0.5mg (2) tab withdrawn on: 06/11/12 @ 2225	Not Documented	Not Documented
" "	Pantoprazole INJ 40mg IV BID SCH, ordered on 06/09/12, at 2100	Pantoprazole 40mg (1) injection withdrawn on: 06/11/12 @ 2225	Not Documented	Not Documented
" "	Trazodone HCL 50mg PO HS SCH, ordered on 06/09/12, at 2100	Trazodone HCL 50mg (1) tab withdrawn on: 06/11/12 @ 2226 @ 2227	Not Documented	Not Documented
" "	Hydrocodone/APAP 10/325 (1) tab PO Q4 SCH, ordered on 06/09/12, at 2000	Hydrocodone/APAP 10/325 (2) tab withdrawn on: 06/11/12	Not Documented	Not Documented

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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(D) and 217.12(1)(A),(1)(C)&(4).

CHARGE II.

On or about June 2, 2012, through June 12, 2012, while employed with Christus Santa Rosa Hospital, New Braunfels, Texas, and assigned to the surgical unit, Respondent removed medications from the medication dispensing system for Patient Medical Record Numbers AX0008320951, AX0008323056, AX0008321287, AX0008324691 and AX0008324723, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications, as outlined in Formal Charge I (chart). Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(C)&(11)(B).

CHARGE III.

On or about June 10, 2012, through June 12, 2012, while employed with Christus Santa Rosa Hospital, New Braunfels, Texas, and assigned to the surgical unit, Respondent failed to accurately and/or completely document assessments for Patient Medical Record Numbers AX0008321287, AX0008324691 and AX0008321012. Respondent's conduct resulted in an inaccurate, incomplete medical record, and was likely to injure the patient in that subsequent care givers would rely on her documentation in order to provide further patient care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(D) and 217.12(1)(A),(1)(C)&(4).

CHARGE IV.

On or about June 13, 2012, while employed with Christus Santa Rosa Hospital, New Braunfels, Texas, and assigned to the surgical unit, Respondent engaged in the imtemperate use of Amphetamines in that Respondent produced a specimen for a for cause drug screen, which resulted positive for Amphetamines. Unlawful possession of Amphetamines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Amphetamines 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(D) and 217.12(1)(A),(1)(C)&(4).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

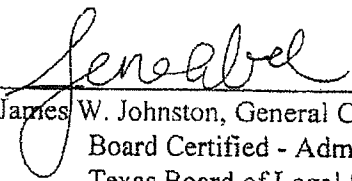
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, and for Fraud, Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

Filed this 11th day of January, 2013.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701