



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. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 534274 §
& Vocational Nurse License Number 41985 §
issued to MARY ANITA NICHOLS-PURCELL §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 534274, and Vocational Nurse License Number 41985, issued to MARY ANITA NICHOLS-PURCELL, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent's licenses to practice vocational and professional nursing in the State of Texas are currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Valley Baptist School of Nursing, Harlingen, Texas, on December 3, 1968. Respondent was licensed to practice vocational nursing in the State of Texas on March 22, 1969. Respondent received an Associate Degree in Nursing from Victoria College, Victoria, Texas, on May 1, 1986. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 1986.

4. Respondent's complete vocational and professional nursing employment history is unknown.
5. On January 6, 2012, Respondent was issued an Agreed Order for Deferred Discipline by the Texas Board of Nursing. A copy of the January 6, 2012, Agreed Order, Finding of Fact, Conclusions of Law and Order is attached and incorporated herein by reference as part of this Order.
6. On June 26, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas in lieu of comply with the Agreed Order issued to her on January 6, 2012. A copy of Respondent's statement, dated June 22, 2013, is attached and incorporated herein by reference as part of this Order.

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(s) of 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) and (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 534274, and Vocational Nurse License Number 41985, heretofore issued to MARY ANITA NICHOLS-PURCELL, including revocation of Respondent's license(s) 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, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 534274, and Vocational Nurse License Number 41985, heretofore issued to MARY ANITA NICHOLS-PURCELL, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

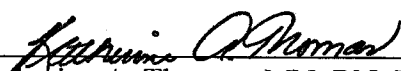
1. RESPONDENT SHALL NOT practice vocational or professional nursing, use the title of vocational nurse or registered nurse or the abbreviation LVN or RN or wear any insignia identifying herself as a vocational nurse or registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse or registered nurse during the period in which the licenses are surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. 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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 26th day of June, 2013.

TEXAS BOARD OF NURSING

By:



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



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED ORDER
License Number 534274 § FOR
and Vocational Nurse § DEFERRED DISCIPLINE
License Number 41985 §
issued to MARY ANITA NICHOLS-PURCELL §

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARY ANITA NICHOLS-PURCELL, Registered Nurse License Number 534274 and Vocational Nurse License Number 41985, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 19, 2011, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Valley Baptist School of Nursing, Harlingen, Texas, on December 3, 1968, and received an Associate Degree in Nursing from Victoria College, Victoria, Texas on May 1, 1986. Respondent was licensed to practice vocational nursing in the State of Texas on March 22, 1969, and was licensed to practice professional nursing in the State of Texas on August 22, 1986.
5. Respondent's nursing employment history includes:

1968-5/1993	Unknown
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Respondent's nursing employment history continued:

6/1993-6/1994	Registered Nurse Osteopathic Hospital Fort Worth, Texas
7/1994-10/1994	Unknown
11/1994-3/1996	Registered Nurse Phoenix Baptist Hospital Phoenix, Arizona
4/1996-8/1998	Unknown
9/1998-12/2000	Registered Nurse-Per Diem Care Staff and Favorite Nurses Dallas, Texas
1/2001-8/2001	Registered Nurse Mesa Lutheran Hospital Mesa, Arizona
5/2001-8/2001	Registered Nurse Lassen Community Hospital Susanville, California
9/2001-8/2002	Unknown
9/2002-4/2002	Registered Nurse Medical City Dallas, Texas
5/2002-7/2002	Registered Nurse Indian Health Services Chinle, Arizona
8/2002-11/2002	Registered Nurse Southwestern Medical Center Lawton, Oklahoma
11/2002-6/2003	Registered Nurse John C. Lincoln Hospital Phoenix, Arizona
7/2003-9/2003	Unknown

Respondent's nursing employment history continued:

10/2003-12/2003	Registered Nurse Presbyterian Hospital of Kaufman Kaufman, Texas
1/2004-6/2004	Registered Nurse Casa Grande Regional Medical Center Casa Grande, Arizona
6/2004-9/2004	Registered Nurse Banner Good Samaritan Hospital Phoenix, Arizona
10/2004-2/2005	Registered Nurse Casa Grande Regional Medical Center Casa Grande, Arizona
3/2005-9/2005	Unknown
10/2005-12/2005	Registered Nurse Parkland Hospital Dallas, Texas
1/2006-4/2006	Registered Nurse Navapache Hospital Phoenix, Arizona
4/2006-10/2006	Registered Nurse John C. Lincoln Phoenix, Arizona
10/2006-12/2006	Registered Nurse Banner Good Samaritan Hospital Phoenix, Arizona
1/2007-3/2007	Registered Nurse Maricopa County Hospital Phoenix, Arizona
5/2007-8/2007	Registered Nurse Parkview Hospital Mexia, Texas
11/2007-5/2008	Registered Nurse Phoenix Baptist Hospital Phoenix, Arizona

Respondent's nursing employment history continued:

6/2008-8/2008	Registered Nurse Presbyterian Hospital of Rockwall Rockwall, Texas
10/2008-11/2008	Registered Nurse Saint Joseph's Hospital Houston, Texas
12/2008-2/2009	Registered Nurse Presbyterian Hospital of Kaufman Kaufman, Texas
3/2009-4/2009	Unknown
5/2009-8/2009	Registered Nurse Tuba City Indian Medical Center Tuba City, Arizona
9/2009-10/2009	Unknown
11/2009-2/2010	Registered Nurse Presbyterian Hospital of Socorro Socorro, New Mexico
3/2010-9/2010	Registered Nurse Texas Health Presbyterian Hospital Kaufman, Texas
10/2010-Present	Unknown

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Texas Health Presbyterian Hospital, Kaufman, Texas, and had been in this position for five (5) months.
7. On or about August 13, 2010, while employed with Texas Health Presbyterian Hospital Kaufman, Kaufman, Texas, Respondent administered Toradol to a labor and delivery patient who was not her assigned patient and who did not have a physician's order for the Toradol. Respondent's conduct exposed the laboring patient unnecessarily to risk of harm from ineffective treatment which could result in a delay in the patient's delivery.
8. In response to Finding of Fact Number Seven (7), Respondent states that she realized she was in the wrong room right after she gave the patient the medication. Respondent states she didn't realize that the patient who had been assigned to her in this room had been moved and that a different patient had been moved into the room. Respondent states she immediately

told the nursing supervisor, called the physician, and wrote herself up on a SALT report. Respondent states that while there is no excuse for not checking the patient's ID band, the shift had been very busy with five (5) c-section patients and she had been giving Toradal and antibiotics all shift. Respondent states that she saw the call light come on in the room at the end of the hall and so she went to administer the patient's pain medication. Respondent states she accepts responsibility for the error and that she will do everything she can to prevent it from happening again.

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)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(B),(1)(C)&(3)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 534274 and Vocational Nurse License Number 41985, heretofore issued to MARY ANITA NICHOLS-PURCELL, including revocation of Respondent's license(s) to practice 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 REMEDIAL EDUCATION, DEFERRED, 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, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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 not commit any violation of 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. for a period of five (5) years from the date of this Order.

(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) 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.texas.gov/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.texas.gov/disciplinaryaction/stipscourses.html>

(4) 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. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>*

IT IS FURTHER AGREED and ORDERED that should an additional allegation, complaint, accusation, or petition be reported or filed against Respondent prior to the completion of this Order, the deferral period shall be extended until the allegation, accusation, or petition has been finally acted upon by the Board.

IT IS FURTHER AGREED that should RESPONDENT commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, including the successful completion of the required period of deferral, the complaint or complaints which formed the basis for this action will be dismissed and this Order will be made confidential to the same extent as a complaint filed under Section 301.466, Texas Occupations Code. Further, all

encumbrances will be removed from Respondent's license(s) to practice nursing in the State of Texas, and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

IT IS FURTHER AGREED that until such time that this Order is made confidential, this Order is subject to disclosure in accordance with applicable law.

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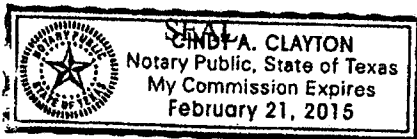
RESPONDENT'S CERTIFICATION

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 when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, the Board may stay the dismissal of the complaint filed against me, and that I will be subject to investigation and possible disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 4th day of January, 2012.

Mary Anita Nichols Purcell
MARY ANITA NICHOLS-PURCELL, Respondent

Sworn to and subscribed before me this 4 day of Jan, 2012.



Cindy Clayton
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order for Deferred Discipline that was signed on the 4th day of January, 2012, by MARY ANITA NICHOLS-PURCELL, Registered Nurse License Number 534274 and Vocational Nurse License Number 41985, and said Order is final.



Effective this 6th day of January, 2012.

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

6-22-2013

Diane Burrell

In regards to our phone conversation I just wanted to verify that I am relinquishing my nursing license. Health concerns are the cause of my inability to complete my remedial education. I had an inoperable back injury followed by three strokes since Christmas. I have been bedbound for a year and a half now. I am unable to walk without aid and I have generalized weakness in both arms courtesy of many strokes.

I just wanted to inform you that I've received word from California State Board of Nursing that they are going to have a hearing even though I haven't had a license with them since June, 2006. Even though this incidence was in 2010. My family is living on Medicare and food stamps. There is no money available for stipulated settlements for either Texas or California. I intended no harm, and no harm was done. Thank you very much for you help.

Mary Anita Purcell

A handwritten signature in black ink that reads "Mary Anita Purcell". The signature is written in a cursive style with a long, sweeping underline.