



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

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In the Matter of § AGREED  
Registered Nurse License Number 760935 §  
issued to WILLIAM DAVID BLACKMON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of WILLIAM DAVID BLACKMON, Registered Nurse License Number 760935, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13) and 301.453, Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on April 29, 2013, 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(s).
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Brookhaven College, Farmers Branch, Texas, on August 8, 2008. Respondent was licensed to practice professional nursing in the State of Texas on September 18, 2008.
5. Respondent's nursing employment history includes:

8/2008 - 11/2009	Staff Nurse	Baylor Medical Center at Garland Garland, Texas
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Respondent's nursing employment history continued:

11/2009 - 11/2010	Staff Nurse	Quest Group Staffing, Inc. Frisco, Texas
11/2010 - 9/2011	Staff Nurse	North Hills Hospital North Richland Hills, Texas
9/2011 - 1/2012	Agency Nurse	Barron HR Staffing Anaheim Hills, California
1/2012 - Present	Staff/Charge Nurse	Texas Regional Medical Center Sunnyvale, Texas

6. At the time of the initial incident, Respondent was employed as a staff nurse with North Hills Hospital, North Richland Hills, Texas, and had been in that position for eight (8) months.
7. On or about July 4, 2011, through July 23, 2011, while employed with North Hills Hospital, North Richland Hills, Texas, Respondent withdrew Morphine, Hydrocodone, Lorazepam and Fentanyl from the Acudose Medication Dispensing System for patients without valid physicians' orders, as follows:

Date/Time	Patient	Physician's Order	Acudose Record	MAR	Wastage
7/4/11@0829	N00031567496	No Order Pt left ER @ 0523	Morphine 10mg	8mg@0829	2mg
7/4/11@1333	N00031569158	No Order	Hydrocodone 1tab	5mg@1333	None
7/23/11@0832	N00031613357	No Order	Lorazepam 2mg	.5mg@0829	None
7/11/11@0731	N00031584077	No Order	Morphine 4mg	4mg@0729	None
7/04/11@1729	N00031568975	No Order	Fentanyl 100mcg Ampule	50mcg@729	None

Respondent's conduct was likely to injure the patient in that the administration of medications without a valid physician's order could result in the patient suffering from adverse reactions.

8. On or about July 31, 2011, while employed with North Hills Hospital, North Richland Hills, Texas, Respondent requested another nurse to withdraw Morphine 10mg from the Acudose Medication Dispensing System for a patient without a physician's order. Respondent's conduct was likely to injure the patient in that the administration of medications without a valid physician's order could result in the patient suffering from adverse reactions.

9. On or about September 2, 2011, while employed with North Hills Hospital, North Richland Hills, Texas, Respondent failed to administer Levophed to a patient as ordered by the physician. The physician's order was for Levophen Drip IV to be titrated by 1mcg/min, increase every five (5) minutes, increments of 1mcg/min until the Systolic Blood Pressure (SBP) was less than ninety (90). Respondent titrated the drip to 2mcg at 1311, and then 5mcg at 1314. Respondent's conduct exposed the patient unnecessarily to a risk of harm from medical complications including hypertension and arrhythmia.
10. On or about September 4, 2011, while employed with North Hills Hospital, North Richland Hills, Texas, Respondent used unnecessary force to restrain an intoxicated patient. Respondent was observed jumping full body onto the patient and staying on top of the patient until restraints were applied. Respondent's conduct exposed the patient unnecessarily to a risk of experiencing physical and/or emotional harm.
11. In response to Findings of Fact Numbers Seven (7) through Ten (10), Respondent states that the hospital changed the patient orders system from physically handwritten to electronic orders. Oftentimes a provider would give a verbal order for pain medication and later forget to add it to the order entry. In September 2011, he was told that verbal orders in the ER were no longer valid. He charted and administered all the medication that was ordered. Regarding the Morphine, Respondent admits that he asked a nurse to take out Morphine 10mg and put it next to a patient's bed in case they would need to administer the medication to a suffering patient, but he denies asking her to administer it. After the patient expired he asked the nurse to return the medication and she told him she had administered it, he reported the incident to physician and the house supervisor. Regarding the Levophed, Respondent states that he administered the medication as ordered by the physician, but failed to accurately document. Regarding the restraining of the patient, Respondent states that another nurse asked him to help restrain a patient who broke his restraints and acted violent. The patient was significantly larger and Respondent used his body weight to hold the patient while applying the restraints. While he held the patient down a student nurse asked if she could start the IV and he told her it would be good practice in the stressful environment because the patient was moving slightly. The conversation with the student nurse was misinterpreted by his coworkers.

#### 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 §217.11(1)(A),(1)(B),(1)(C),(1)(D),(1)(M)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A), (1)(B),(4)&(6)(C).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 760935, heretofore issued to WILLIAM DAVID BLACKMON, 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 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, 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, 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>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. 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 shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL

NOT be accepted. 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>.*

(3) 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.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, 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) YEAR(S) 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) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:**

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

(7) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, 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.

(8) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as 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.

(9) 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 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(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

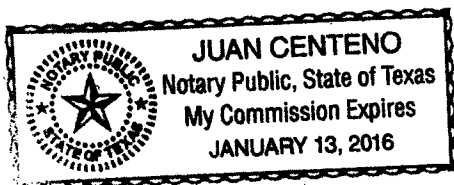
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 24 day of June, 2013.

William David Blackmon  
WILLIAM DAVID BLACKMON, RESPONDENT

Sworn to and subscribed before me this 24 day of June, 2013.

SEAL



[Signature]  
Notary Public in and for the State of Texas

Approved as to form and substance.

Shezad Malik  
Shezad Malik, Attorney for Respondent

Signed this 24 day of JUNE, 2013.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 24<sup>th</sup> day of June, 2013, by WILLIAM DAVID BLACKMON, Registered Nurse License Number 760935, and said Order is final.

Effective this 6<sup>th</sup> day of August, 2013.



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