



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. Roman*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED  
Registered Nurse License Number 740238 §  
issued to DEIRA PATTEE LEWIS § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that DEIRA PATTEE LEWIS, Registered Nurse License Number 740238, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was held on Tuesday, July 23, 2013, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Joyce Stamp Lilly, Attorney at Law. In attendance were Kristin Benton, MSN, RN, Director of Nursing, Executive Director's Designee; Nikki Hopkins, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Noemi Vezina, Investigator; and Gisselle Gonzales, 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(s).
2. Respondent waived notice and hearing, and consented 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 Community College of Denver, Denver, Colorado, on September 22, 2006. Respondent was licensed to practice professional nursing in the State of Texas on April 20, 2007.

5. Respondent's professional nursing employment history includes:

2007 - 2010	Charge RN	Tomball Hospital Tomball, Texas
2010 - 2011	RN	Odyssey Healthcare of Conroe Conroe, Texas
10/11 - 02/12	RN	Odyssey Health of Willowbrook Houston, Texas
02/12 - 03/12	RN	Sunset Hospice, Inc. Tomball, Texas
04/12 - 03/13	RN	Conroe Regional Medical Center Conroe, Texas
03/13 - Present	RN	Memorial Hermann Hospital The Woodlands, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Sunset Hospice, Inc., Tomball, Texas, and had been in this position for less than one (1) month.

7. On or about March 7, 2012, while employed with Sunset Hospice, Inc., Tomball, Texas, Respondent incorrectly documented on the Skilled Nursing Visit Note that she performed wound care for Patient Number 0736M on the patient's anterior left thigh. The patient's wound was actually located on the posterior right thigh. Respondent's conduct created an inaccurate medical record and was likely to injure the patient in that subsequent care givers would rely on her documentation to make their decisions for further care.

8. On or about March 8, 2012, while employed with Sunset Hospice, Inc., Tomball, Texas, Respondent inaccurately and/or improperly documented physician's orders for Patient Number 0701N, in that she documented three (3) variations of the same order and failed to denote the appropriate dose, route and frequency for the administration of Valium. Respondent documented 'Keflex 500mg once a day for five (5) days, start two days prior to dental appointment' and 'Valium the day of the dental procedure' on the Physician's Telephone Orders sheet; 'Valium 5mg PO BID prn & Keflex 500mg BID' under the Interventions section of the Skilled Nursing Visit Note; and 'Keflex 500mg po daily and Valium po 45 minutes prior to procedure' under the Analysis/Patient Response section of the Skilled Nursing Visit Note. Respondent's conduct created an inaccurate medical record and was likely to injure the patient in that subsequent care givers would rely on her documentation to make their decisions for further care.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that, regarding Patient Number 0736M, the owner of the facility was claiming that Respondent did not see the patient that day because the patient called the office complaining of having a panic attack. Respondent states she offered to go see the patient again, but the owner said she would handle it. Respondent admits to incorrectly documenting that she performed wound care on the wrong leg. Regarding Patient 0701N, Respondent acknowledges that she wrote three different sets of orders for the patient and admits that her documentation of the physician's order for Valium was inappropriate.
10. Respondent provided the Board with a copy of a favorable performance evaluation, as well as copies of letters of recommendation from past colleagues and her current Charge Nurse.
11. Respondent was named on the June 2013 Employee Recognition List at Memorial Hermann The Woodlands Hospital.
12. On or about July 25, 2013, Respondent successfully completed the Board approved course entitled "Sharpening Critical Thinking Skills v4.2," presented by the NCSBN Learning Extension, which would have been a requirement 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 §§217.11(1)(A),(B)&(D) and 217.12(1)(A),(1)(B),(1)(C)&(4).
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 740238, heretofore issued to DEIRA PATTEE LEWIS, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, 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 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>.

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 may be eligible for nurse licensure compact privileges, if any.

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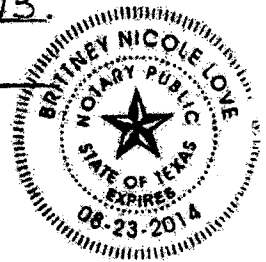
RESPONDENT'S CERTIFICATION

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 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, 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 19 day of August, 2013.

Deira P. Lewis  
DEIRA PATTEE LEWIS, RESPONDENT



Sworn to and subscribed before me this 19 day of August, 2013.

SEAL

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

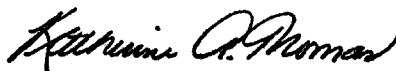
Approved as to form and substance.

Joyce Stamp Lilly  
Joyce Stamp Lilly, Attorney for Respondent

Signed this 20 day of August, 2013

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 19th day of August, 2013, by DEIRA PATTEE LEWIS, Registered Nurse License Number 740238, and said Order is final.

Effective this 20th day of August, 2013.



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