



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 Registered § AGREED  
Nurse License Number 676708 §  
issued to DORIS CAROLYN MALCOM § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DORIS CAROLYN MALCOM, Registered Nurse License Number 676708, 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)(8), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 20, 2013.

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 professional nursing in the State of Texas.
4. Respondent received a Certificate in Registered Nursing from Hillcrest Medical Center, Tulsa, Oklahoma on September 9, 1965. Respondent was licensed to practice professional nursing in the State of Texas on April 6, 2001.
5. Respondent's nursing employment history includes:

09/1965 to 1969	Staff RN	Hillcrest Medical Center Tulsa, Oklahoma
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Respondent's nursing employment history continued:

1970 to 1972	Staff RN	Fayetteville Medical Center Fayetteville, Arkansas
1972 to 1972	Staff RN	Hillcrest Medical Center Tulsa, Oklahoma
1972 to 1978	Shift Supervisor, RN	Bethany General Hospital Oklahoma City, Oklahoma
1974 to 1976	Charge Nurse, RN	Baptist Hospital Oklahoma City, Oklahoma
1978 to 1982	DON	Kelly Health Care Oklahoma City, Oklahoma
1982 to 1990	DON	Cottonwood Manor Oklahoma City, Oklahoma
1990 to 1992	DON	Heritage Eye Surgery Center Oklahoma City, Oklahoma
1990 to 1994	Consultant	Self Employed by contract Oklahoma City & Edmond, Oklahoma
1992 to 2000	DON	Home Health Care Associates Oklahoma City, Oklahoma
1995 to 2000	Consultant	Self Employed by contract Oklahoma City, Oklahoma
2001 to 2001	Staff RN	Lifepath Outpatient Pysch. McKinney, Texas
2001 to 2001	Interim DON	Manorcare, LTC Oklahoma City, Oklahoma
2002 to 2003	Consultant	Self Employed by contract Oklahoma City, Oklahoma
2007 to Present	DON	Senior Village Nursing Home Blanchard, Oklahoma

6. On or about May 28, 2013, Respondent was issued a Stipulation, Settlement and Order by the Oklahoma Board of Nursing wherein Respondent's license to practice professional nursing in the State of Oklahoma was Reprimanded with fine and stipulations. A copy of the Stipulation, Settlement and Order issued by the Oklahoma Board of Nursing, dated May 28, 2013, is attached and incorporated 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 cause pursuant to Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 676708, heretofore issued to DORIS CAROLYN MALCOM, 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 a 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 State of Texas 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 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, 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.

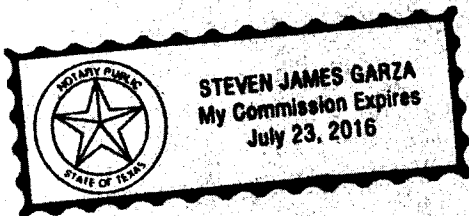
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I 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 26 day of December, 2013.

Doris Carolyn Malcom  
DORIS CAROLYN MALCOM, Respondent

Sworn to and subscribed before me this 26 day of December, 2013.

SEAL



STEVEN GARZA NOTARY PUBLIC

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 that was signed on the 26<sup>th</sup> day of December, 2013, by DORIS CAROLYN MALCOM, Registered Nurse License Number 676708, and said Order is final.

Effective this 31<sup>st</sup> day of December, 2013.



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

## BEFORE THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF DORIS CAROLYN MALCOM PAGE GRIDER MALCOM, R.N.  
LICENSE NO. R0020038

### STIPULATIONS, SETTLEMENT AND ORDER

This matter comes on before the Informal Disposition Panel ("Panel") of the Oklahoma Board of Nursing ("Board") on the 13<sup>th</sup> day of May, 2013, in the Conference Room of the Board Office, 2901 North Classen Boulevard, Suite 105, Oklahoma City, Oklahoma.

Jan Sinclair, R.N., a Nurse Investigator with the Board, appears in person, and Doris Carolyn Malcom Page Grider Malcom, R.N., (hereinafter, "Respondent") having received notice, voluntarily appears in person without counsel before the Panel on this date. Respondent and the Nurse Investigator participated in an investigative conference on April 24, 2013, and subsequently consented to this Stipulations, Settlement and Order ("Order").

### STIPULATIONS

Respondent and the Panel hereby stipulate and agree to the following joint stipulations and proposed Order of the Board incorporating these stipulations and agreements in the above-styled matter.

1. Respondent is licensed to practice registered nursing in the State of Oklahoma and is the holder of License No. R0020038 issued by the Oklahoma Board of Nursing.
2. On or about September 28, 2012, Respondent, while employed with Senior Village Nursing Home in Blanchard, Oklahoma, as Director of Nurses, was informed by a charge nurse that a certified nursing assistant ("CNA") had been sexually inappropriate while providing peri-care to Resident K.W. Respondent failed to notify the police department of the incident and



failed to document any examination of Resident K.W., or complete a thorough investigation of the incident.

3. No formal complaint has been filed as of the date of these stipulations charging Respondent with violations of the Oklahoma Nursing Practice Act. Respondent understands that Respondent has a right to require that a formal Complaint be filed and the right to a formal hearing before the Board at which time Respondent could confront the witnesses against Respondent, cross-examine those witnesses, and present evidence in Respondent's own behalf. Respondent understands that by signing and agreeing to this Order Respondent is waiving those rights.

4. This Order is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of this Order. Furthermore, should this Order not be accepted by the Board, it is agreed that presentation to and consideration of this Order and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

5. Respondent fully understands and agrees that this Order will in no way preclude additional proceedings by the Board against Respondent for acts or omissions not specifically made a part of this Order.

6. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this joint stipulation of facts, conclusions of law and imposition of discipline, and the Order of the Board

incorporating said stipulations.

7. It is expressly understood that this Order is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

8. This Order constitutes formal disciplinary action.

#### **STIPULATED DISPOSITION AND ORDER**

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that Respondent's license to practice registered nursing in the State of Oklahoma remain in effect, and that Respondent is disciplined as follows:

1. Respondent shall, within **ninety (90) days** from the receipt of this Order, successfully complete a course on **Nursing Jurisprudence**. Respondent shall obtain Board approval of the course prior to enrollment. Home study courses, Internet and video programs will not be approved. In order for the course to be approved, the target audience must include licensed nurses. It must be a minimum of four (4) contact hours in length. The course must include an examination of the scope of nursing practice from the Oklahoma Nursing Practice Act and Rules of the Board; other laws; policies; and accreditation guidelines that govern the practice of nursing; the role of delegation and supervision; and an exploration of the ethical basis of nursing practice. Courses focusing on malpractice issues will not be accepted. The course description must 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 cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

2. Respondent shall, within **one hundred eighty (180) days** of receipt of this Order, successfully complete a course in **The Roles and Responsibilities of the Registered Nurse**

**in Long Term Care, to include all applicable state and federal regulations.** Respondent shall obtain Board approval of the course prior to enrollment. Courses that exclusively include home study courses, video programs, and Internet programs will not be approved. The target audience must include licensed nurses. The course must be a minimum of sixteen (16) contact hours in length. For approval the course content must include delegation, supervision, patient assessment, scope of practice of each discipline; and responsibilities related to reporting incidents. The course description must 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 cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

3. Within **sixty (60) days** from receipt of this Order, Respondent shall pay an **administrative penalty** payable to the Oklahoma Board of Nursing in the amount of **\$500.00**. The administrative penalty shall be paid only by certified check, money order or cash.

IT IS FURTHER ORDERED that the license to practice registered nursing held by Respondent is hereby **reprimanded**.

IT IS FURTHER ORDERED, that Respondent shall comply in all respects with the Nursing Practice Act, 59 O.S. Sections 567.1, et seq., the Rules, OAC Title 485 Chapters 1 and 10 and Guidelines relating to nursing education, licensure and practice and this Order.

IT IS FURTHER ORDERED, that in the event the Certified Mail delivery of Respondent's Order is unsuccessful a process server will be hired to obtain service of the Order. If it is thus necessary to serve the Respondent by a process server, the Respondent shall reimburse the Board for the actual cost of the process server. The Respondent shall pay to the Board the actual cost

of the process service **within sixty (60) days of service of the process served Order**. The process service fee shall be paid only by certified check, money order or cash to the Board.

IT IS FURTHER ORDERED that any failure to comply with submission of the administrative penalty, reimbursement of cost of process server, or written documentation by the due date, including but not limited to proof of successful completion of educational courses, will result in a three (3) month suspension of license. At the completion of the three month suspension, any application for reinstatement may be submitted for processing by Board Staff for approval in accordance to the agency approval process or for referral to the Board. An administrative penalty of \$500 for each violation of Respondent's Board Order shall be paid by certified check, money order, or cash prior to reinstatement pursuant to statute, 59 O.S. §567.8.J.1. and 2, and §485:10-11-2(d) of the Rules promulgated by the Board.

IT IS FURTHER ORDERED that the parties agree that both (all) parties have participated in the drafting of this Order and that no presumption or construction against any party as the drafter of this Order, shall apply or be applied in the event of a claim of ambiguity of the document or a provision thereof.

IT IS FURTHER ORDERED that should this Order not be accepted by the Board, it is agreed that presentation to and consideration of this Order and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

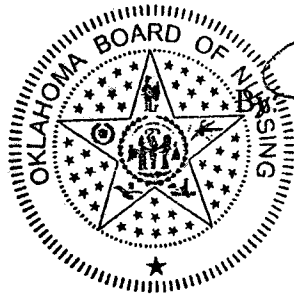
IT IS FURTHER ORDERED that this Order shall not be effective until the fully executed Order is received in the Board office.

IT IS FURTHER ORDERED that upon successful completion of all of the terms and conditions of this Order, no further Order of the Board shall be deemed necessary.

IT IS FURTHER ORDERED that this Order constitutes disciplinary action by the Board and may be used in any subsequent hearings by the Board. In the event other misconduct is reported to the Board, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

*Carole J. Melton*  
Respondent

Approved and ordered this 28<sup>th</sup> day of May, 2013.



OKLAHOMA BOARD OF NURSING

*Carole J. Melton*  
President

JS:sr