

IN THE MATTER OF PERMANENT §
VOCATIONAL NURSE LICENSE §
NUMBER 132545 ISSUED TO §
DEBORAH ANN WOOD §

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: Deborah Ann Wood
132 King Charles
Del Rio, TX 78840

During open meeting held in Austin, Texas, on **February 11, 2014**, 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 conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order 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 Vocational Nurse License Number 132545, previously issued to DEBORAH ANN WOOD, 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 11th day of February, 2014.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed October 15, 2013.

Re: Permanent Vocational Nurse License Number 132545
Issued to DEBORAH ANN WOOD
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of February, 2014, 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

Deborah Ann Wood
132 King Charles
Del Rio, TX 78840

Via USPS First Class Mail

Deborah Ann Wood
3655 Arava Drive
Green Cove Springs, Florida 32043



BY:

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

**In the Matter of Permanent
Vocational Nurse License
Number 132545 Issued to
DEBORAH ANN WOOD,
Respondent**

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§

**BEFORE THE TEXAS

BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DEBORAH ANN WOOD, is a Vocational Nurse holding License Number 132545, which is in delinquent 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 February 21, 2013, Respondent was issued a Final Order by the Florida Board of Nursing wherein Respondent's license to practice practical nursing in the State of Florida was placed on Probation with fine and stipulations until February 21, 2014. A copy of the Final Order issued by the Florida Board of Nursing, dated February 21, 2013, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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).

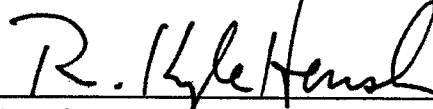
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, 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.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Final Order issued by the Florida Board of Nursing, dated February 21, 2013.

Filed this 15th day of October, 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

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

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Final Order issued by the Florida Board of Nursing, dated February 21, 2013.

D/2012.06.19

FILED DATE FEB 21 2013

Department of Health

Brigitte Sanders

Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2012-03570

License No.: PN 1146381

DEBORAH ANN WOOD,

Respondent.

FINAL ORDER

This matter appeared before the Board of Nursing at a duly-noticed public meeting on February 8, 2013 in Panama City, Florida, for a hearing not involving disputed issues of material fact pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Service of the Administrative Complaint was made upon Respondent by certified mail return receipt requested. Respondent has not filed an Election of Rights. Petitioner has filed a Motion for Determination of Waiver and Entry of Final Order. Petitioner was represented by Jodi-Ann Johnson, Assistant General Counsel, Florida Department of Health. Respondent was not present.

FINDINGS OF FACT

Since the licensee has not replied to the Administrative Complaint nor contested the factual allegations, the prosecuting

attorney offered the investigative file to prove the facts as alleged. The investigative file was received into evidence and the Board finds the uncontested facts adequately support the allegations. Therefore, the Board adopts as its finding of facts the facts set forth in the Administrative Complaint.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Board concludes the licensee has violated Section 464.018(1)(h), Florida Statutes.

The Board is empowered by Sections 464.018(2) and 456.072(2), Florida Statutes, to impose a penalty against the licensee.

Therefore it is ORDERED that:

The licensee must pay an administrative fine of \$200.00 and investigative costs of \$1722.05 within twenty-four (24) months from the date of entry of this Order. Payment shall be made to the Board of Nursing and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer. Payment must be made by cashier's check or money order ONLY. Personal checks shall NOT be accepted.

The Respondent shall enroll in and successfully complete the following Continuing Education courses:

Medication Administration (four hours), Documentation

(four hours) and Prevention of Medical Errors (four hours)

This shall be in addition to other normally required continuing education courses. Verification of course content and course

completion must be submitted to the Nursing Compliance Officer within six (6) months from the date of this Order. The Board will retain jurisdiction for the purpose of enforcing continuing education requirements.

The license of DEBORAH ANN WOOD is placed on probation for one (1) year, subject to the following conditions:

The licensee shall not violate chapters 456 or 464, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice nursing.

The licensee must report any change in address or telephone number, employment, employer's address or telephone number, or any arrests in writing within 10 working days to the DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer.

Whether employed as a nurse or not, the licensee shall submit written reports to the Nursing Compliance Officer which shall contain the licensee's name, license number, and current address; the name, address, and phone number of each current employer; and a statement by the licensee describing her employment. This report shall be submitted to the Nursing Compliance Officer every three (3) months in a manner as directed by the Nursing Compliance Officer.

The licensee must work in a setting under direct supervision and only on a regularly assigned unit. Direct supervision requires

another nurse to be working on the same unit as the licensee and readily available to provide assistance and intervention. The licensee cannot be employed by a nurse registry, temporary nurse employment agency or home health agency. Multiple employers are prohibited. The licensee cannot be self-employed as a nurse.

All current and future settings in which the licensee practices nursing shall be promptly informed of the licensee's probationary status. Within five days of the receipt of this Order, the licensee shall furnish a copy to her nursing supervisor. If the licensee is enrolled in a nursing program, the licensee's clinical instructors shall serve as the licensee's supervisors in addition to any supervisors at the licensee's place of employment. The supervisor(s) must acknowledge this probation to the Nursing Compliance Officer in writing on employer letterhead within ten days. Should the licensee change employers, she must supply a copy of this Order to her new nursing supervisor within five days. The new employer shall acknowledge probation in writing on employer letterhead to the Nursing Compliance Officer within ten days. The licensee shall be responsible for assuring that reports from nursing supervisors will be furnished to the Nursing Compliance Officer every three (3) months. That report shall describe the licensee's work assignment, work load, level of performance, and any problems. Any report indicating an unprofessional level of performance shall be a violation of probation.

If the licensee ceases to practice nursing, this probation shall be tolled until the licensee returns to the active practice of nursing. Then the probationary period will resume. Unless this Order states otherwise, any fines imposed or continuing education required must be paid or completed within the time specified and are not tolled by this provision. Employer reports are not required during the time probation is tolled. Working in nursing without notification to the Board is a violation of this Order.

The licensee's failure to comply with the terms of this Probation Order without the prior written consent of the Board shall be a violation of this Probation. The probation shall not be terminated until the licensee has complied with all terms of probation. The failure to comply with the terms of probation set forth above shall result in a subsequent Uniform Complaint Form being filed by the Board with the Department of Health against the Respondent's license, which may result in additional administrative fines, probationary periods, and/or suspensions being imposed against the Respondent's license.

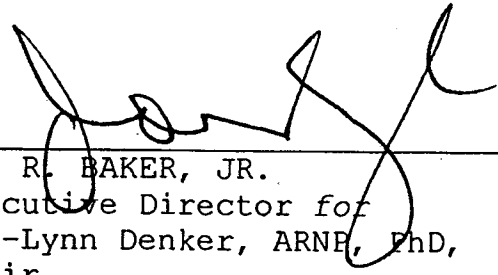
The terms of this Order are effective as of the date this Order is filed with the clerk for the Department of Health. The Board office will send the licensee information regarding probationary terms, however, failure of the licensee to receive such information DOES NOT EXCUSE COMPLIANCE with the terms of this Order.

This Final Order shall become effective upon filing with the

Clerk of the Department of Health.

DONE AND ORDERED this 20th day of Feb, 2013.

BOARD OF NURSING



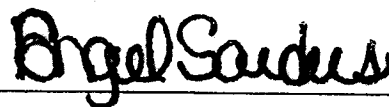
JOE R. BAKER, JR.
Executive Director for
Ann-Lynn Denker, ARNE, PhD,
Chair

NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to **DEBORAH ANN WOOD**, 3655 Arava Dr., Green Cove Springs, FL 32043; by interoffice mail to **Lee Ann Gustafson**, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and **Jodi-Ann Johnson**, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265 on this 21st day of Feb., 2013.



**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2012-03570

DEBORAH ANN WOOD, L.P.N.,

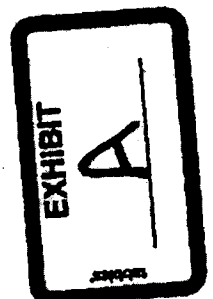
RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Deborah Ann Wood, L.P.N., and in support thereof alleges:

2. Petitioner is the state department charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

3. At all times material to this Administrative Complaint, Respondent was a licensed practical nurse (L.P.N.) within the state of Florida, having been issued license number PN 1146381.



4. Respondent's address of record is 833 Kingsley Avenue, Orange Park, Florida 32073.

5. Respondent's current address is 3655 Arava Drive, Green Cove Springs, Florida 32043.

6. At all times material to this Administrative Complaint, Respondent was employed by Doctors Lake Healthcare (DLH) in Orange Park, Florida.

7. On or about February 29, 2012, Respondent was assigned to work the 3p.m. to 11p.m. shift at DLH.

8. Physician orders for Patient C.W. noted that C.W. was to be given vitamin B, Lasix, Protonix, Foradil, DuoNeb, Coreg, Zocor, and Keppra during the 3p.m. to 11p.m. shift.

9. C.W. did not receive any of these medications.

10. Respondent initialed C.W.'s medication administration report (MAR) for the 3p.m. to 11p.m. shift, indicating that Respondent had administered the medication. However, all of C.W.'s medications were still in their medication packet at the end of the shift.

11. Respondent admitted signing the MAR and stated that the falsification was an unintentional oversight.

12. Respondent was terminated from DLH on March 1, 2012.

13. Section 464.018(1)(h), Florida Statutes (2011), provides that unprofessional conduct as defined by board rule constitutes grounds for disciplinary action.

14. Rule 64B9-8.005(6), Florida Administrative Code, provides that unprofessional conduct includes falsifying or altering of patient records or nursing progress records, employment applications or time records.

15. Respondent engaged in unprofessional conduct by falsifying Patient C.W.'s MAR.

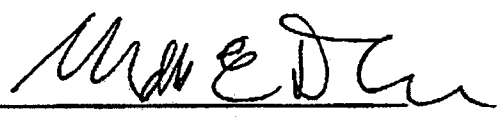
16. Based on the foregoing, Respondent violated Section 464.018(1)(h), Florida Statutes (2011), by engaging in unprofessional conduct as defined by Rule 64B9-8.005(6), Florida Administrative Code, to include falsifying or altering of patient records or nursing progress records, employment applications or time records.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of

fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 9 day of July, 2012.

John H. Armstrong, MD
State Surgeon General and
Secretary of Health



Melissa E. Dinwoodie
Assistant General Counsel
Fla. Bar No. 76466
Florida Department of Health
Office of the General Counsel
4052 Bald Cypress Way, Bin #C65
Tallahassee, FL 32399-3265
Telephone: (850) 245-4640
Facsimile: (850) 245-4683
Email: Melissa_Dinwoodie@doh.state.fl.us

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK Angel Sanders
DATE JUL 10 2012

/MED

07/09/2012
HABGOOD
KIRKPATRICK

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.