



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 § AGREED
Registered Nurse License Number 546452 §
& Vocational Nurse License Number 119193 §
issued to LAURA ANN JOHNSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LAURA ANN JOHNSON, Registered Nurse License Number 546452, and Vocational Nurse License Number 119193, 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)(3)&(10) and 301.453, 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 14, 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's license to practice vocational nursing in the State of Texas is invalid. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from the University of Southern Mississippi, Hattiesburg, Mississippi on December 1, 1986. Respondent was licensed to practice vocational nursing in the State of Texas on December 2, 1987. Respondent was licensed to practice professional nursing in the State of Texas on August 1, 1988.

5. Respondent's vocational and professional nursing employment history includes:

12/1987 - 04/1988		Unknown
05/1988 - 2007	LVN/RN	Memorial Hermann Hospital Houston, Texas
07/2007 - 05/2013	RN	Clear Lake Regional Medical Center Webster, Texas
06/2013 - Present		Unknown

6. At the time of the initial in Finding of Fact Number Ten (10), Respondent was employed as a Registered Nurse with Clear Lake Regional Medical Center, Webster, Texas, and had been in this position for four (4) years and ten (10) months.
7. On or about October 12, 2006, Respondent was arrested by the Pasadena Police Department, Pasadena, Texas, for THEFT OF PROP \geq \$50 $<$ \$500, a Class B Misdemeanor Offense. On or about November 13, 2006, Respondent entered a plea of Guilty to THEFT OF PROP \geq \$50 $<$ \$500, a Class B Misdemeanor Offense, in the Harris County Court No. 2, Houston, Texas, under Cause No. 140945201010. As a result of the plea, the proceedings against he were deferred, without entering an adjudication of guilt, and she was placed on probation for a period of eighteen (18) months, and ordered to pay a fine.
8. On or about December 6, 2006, Respondent was arrested by the Houston Police Department, Pasadena, Texas, for THEFT OF PROP \geq \$50 $<$ \$500, a Class B Misdemeanor Offense. On or about February 23, 2007, Respondent entered a plea of Guilty to THEFT OF PROP \geq \$50 $<$ \$500, a Class B Misdemeanor Offense, in the Harris County Court No. 2, Houston, Texas, under Cause No. 142206301010. As a result of the plea, the proceedings against her were deferred, without entering an adjudication of guilt, and she was placed on probation for a period of eighteen (18) months, and ordered to pay a fine.
9. On or about June 6, 2007, Respondent submitted a Texas Online Renewal Document, Registered Nurse, to the Board of Nurse Examiners for the State of Texas, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the following question:

" Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudications with or without a finding of guilt. Please not that DUIs, DWIs, and PIs must be reported and are not considered minor traffic

violations. One time minor in possession [MIP] or Minor in Consumption [MIC] does not need to be disclosed; therefore, you may answer "No." If you have two or more MIPs or MICs, you must answer "Yes." You may answer "No" if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal and/or licensure form."

Respondent failed to disclose the conduct outlined in Findings of Facts Numbers Seven (7) and Eight (8).

10. On or about May 7, 2012, while employed as a Registered Nurse with Clear Lake Regional Medical Center, Webster, Texas, Respondent submitted a fraudulent, telephonically communicated prescription for Azithromycin to Walgreens Pharmacy, Houston, Texas, using under the name of Patient L.J. Respondent's conduct was likely to deceive the pharmacy and possession of Azithromycin through use of an unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 483 (Dangerous Drug Act) of the Texas Health and Safety Code.
11. On or about May 10, 2012, while employed as a Registered Nurse with Clear Lake Regional Medical Center, Webster, Texas, Respondent submitted a fraudulent, telephonically communicated prescription for Nometasone to Walgreens Pharmacy, Houston, Texas, under the name of Patient L.J. Respondent's conduct was likely to deceive the pharmacy and possession of Nometasone through use of an unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 483 (Dangerous Drug Act) of the Texas Health and Safety Code.
12. In response to Finding of Fact Numbers Seven (7) through Nine (9), Respondent states: "I was under the impression the records would be sealed/expunged. Then in 2007, when I applied for the renewal of my license I answered no to the question about arrests and convictions because I thought I didn't have to disclosed if it was expunged.

In response to Finding of Fact Numbers Ten (10) and Eleven (11), Respondent states: "I ordered Eczema Cream and Zithromycin for my daughter from the pharmacy using her pediatrician's name. I had worked for this doctor as a pediatric nurse for twenty years before leaving the hospital. I never meant to cross the line and never intentionally tried to practice medicine. The prescriptions were for two medication she had prescribed to my daughter before, so I just wrote them for the same. I did not have the money to take her in for an office visit."

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(1)(A),(4),(6)(H),(10)(E),(11)(B)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(3)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 546452, and Vocational Nurse License Number 119193, heretofore issued to LAURA ANN JOHNSON, 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 WARNING 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 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>.*

(3) RESPONDENT SHALL pay a monetary fine the amount of five hundred dollars

(\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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 ONE (1) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) 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:

(4) 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.

(5) 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.

(6) 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.

(7) 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 one (1) year(s) 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 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 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.

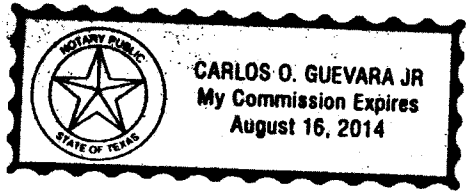
Signed this 23rd day of December, 2013.

Laura Ann Johnson
LAURA ANN JOHNSON, RESPONDENT

Sworn to and subscribed before me this 23rd day of December, 2013.

SEAL

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



Approved as to form and substance.

Taralynn R. Mackay
TARALYNN MACKAY,, Attorney for Respondent

Signed this 27th day of December, 2013

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 23rd day of December, 2013, by LAURA ANN JOHNSON, Registered Nurse License Number 546452, and Vocational Nurse License Number 119193, and said Order is final.

Effective this 11th day of February, 2014.



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