



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 247651 §  
& Vocational Nurse License Number 56006 §  
issued to DEBRA TIMMONS ALSTON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of DEBRA TIMMONS ALSTON, Registered Nurse License Number 247651, and Vocational Nurse License Number 56006, 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 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 February 7, 2014, 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 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. Respondent holds a license to practice vocational nursing in the State of Texas which is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Houston Vocational Nursing Program, Houston, Texas, on April 20, 1973. Respondent received a Baccalaureate Degree in Nursing from the University of St. Thomas, Houston, Texas, on May 1, 1979. Respondent was licensed to practice vocational nursing in the State of Texas on April 20, 1973, and Respondent was licensed to practice professional nursing in the State of Texas on September 4, 1979.

5. Respondent's nursing employment history includes:

1973 - 1975	LVN	J.D. Hospital Houston, Texas
1976 - 1978	Unknown	
1979 - 1980	RN	JD Hospital Houston, Texas
1979 - 1989	RN	Memorial Hospital Houston, Texas
1989 - 2002	RN	Harris County Sheriff's Office Houston, Texas
2002 - 2004	RN	Heartland at Willowbrook Houston, Texas
2002 - 2007	RN	Ultra Staff Agency Houston, Texas
2002 - 2008	RN	CUN Home Health Houston, Texas
2004 - 2008	RN	Intracare North Hospital Houston, Texas
01/07 - 11/12	RN	MHMR of Harris County Houston, Texas
12/12 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Mental Health Mental Retardation of Harris County, Houston, Texas, and had been in this position for five (5) years and three (3) months.

7. On or about April 5, 2012, while employed as the Team Registered Nurse (RN) with Mental Health Mental Retardation of Harris County - Assertive Community Treatment (ACT) Team, Houston, Texas, Respondent failed to remove Prolixin from the medication box for Patient Medical Record Number 32902, after it had been discontinued. As a result, the patient continued to receive Prolixin on a daily basis from April 9, 2012 to April 16, 2012. 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 April 27, 2012, while employed as the Team Registered Nurse (RN) with Mental Health Mental Retardation of Harris County - Assertive Community Treatment (ACT) Team, Houston, Texas, Respondent administered Risperdal Consta 50mg to Patient Medical Record Number 334090, without a valid physician's order, in that the order for Risperdal Consta 50mg had been discontinued on April 4, 2012. 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 August 23, 2012, while employed as the Team Registered Nurse (RN) with Mental Health Mental Retardation of Harris County - Assertive Community Treatment (ACT) Team, Houston, Texas, Respondent administered an Invega Sustenna 234mg intramuscular (IM) injection to Patient Medical Record Number 448041, without a valid 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.
10. On or about August 29, 2013, while employed as the Team Registered Nurse (RN) with Mental Health Mental Retardation of Harris County - Assertive Community Treatment (ACT) Team, Houston, Texas, Respondent failed to administer an Invega Sustenna 156mg intramuscular (IM) injection to aforementioned Patient Medical Record Number 448041, as ordered by the physician. Instead, Respondent administered an Invega Sustenna 117mg intramuscular (IM) injection. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could result in non-efficacious treatment.
11. On or about October 23, 2012, while employed as the Team Registered Nurse (RN) with Mental Health Mental Retardation of Harris County - Assertive Community Treatment (ACT) Team, Houston, Texas, Respondent incorrectly administered Prolixin Decanoate 50mg to Patient Medical Record Number 292144, instead of 25mg as ordered by the physician. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could result in non-efficacious treatment.
12. On or about November 13, 2012, while employed as the Team Registered Nurse (RN) with Mental Health Mental Retardation of Harris County - Assertive Community Treatment (ACT) Team, Houston, Texas, Respondent inappropriately altered her documentation for aforementioned Patient Medical Record Number 292144, in that Respondent had documented that she administered Prolixin Decanoate 50mg to the patient; however, Respondent changed her documentation to reflect that she administered Prolixin Decanoate 25mg after the correct physician's order was brought to her attention. Respondent's conduct was deceptive, created an inaccurate medical record and was likely to injure the patient in that subsequent care givers would rely on her documentation to base their decisions for further care.
13. In response to Findings of Fact Numbers Seven (7) through Twelve (12), regarding Patient Number 32902, Respondent states she did not remove twenty-five (25) packs of Prolixin because it was common practice to leave a note for the medication room nurse to correct the

medication packs. Respondent further states it was the medication room nurse who failed to read the order to discontinue the medication and continued to issue the medication. Regarding Patient Numbers 334090 and 448041, Respondent states she was told by the Lead Nurse that she could utilize the physician progress notes as physician's orders. Regarding Patient Number 292144, Respondent states she administered Decanoate 25mg as ordered, but she did not document administration of the injection until later that evening. Respondent states she inadvertently documented that she administered 50mg instead of 25mg. Respondent further states that on November 13, 2012, another nurse brought the chart to her and showed her what she had documented (50mg). Respondent states she told the nurse it was just a typing error, that she actually gave 25mg and corrected her mistake by drawing a line through the 50mg and writing 25mg and initialing it. Respondent states she had planned on going to her supervisor and data entry staff to complete the correction process; however, she was unable to follow up because within two (2) hours after making the corrections, she was terminated.

#### 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),(C)&(D) and 217.12(1)(A),(1)(B),(4),(6)(A),(6)(H)&(10)(B).
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 247651, and Vocational Nurse License Number 56006, heretofore issued to DEBRA TIMMONS ALSTON, 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 a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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 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:

(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) 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.

(8) 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

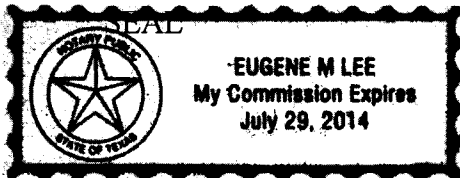
I understand that I have the right to legal counsel prior to signing this Agreed Order.

I 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 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 10 day of March, 2014.

Debra Timmons Alston  
DEBRA TIMMONS ALSTON, RESPONDENT

Sworn to and subscribed before me this 10 day of March, 2014.



Eugene M Lee  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10<sup>th</sup> day of March, 2014, by DEBRA TIMMONS ALSTON, Registered Nurse License Number 247651, and Vocational Nurse License Number 56006, and said Order is final.

Effective this 16th day of April, 2014.



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