



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. Thomas*  
Executive Director of the Board

In the Matter of  
Permanent Registered Nurse  
License Number 532258 &  
Issued to SYLVIA MARIE PETERSON,  
Respondent

§ BEFORE THE TEXAS  
§  
§  
§  
§ BOARD OF NURSING

**ORDER OF TEMPORARY SUSPENSION**

TO: SYLVIA MARIE PETERSON  
8221 N IH 35 #130  
AUSTIN, TX 78753

A public meeting of the Texas Board of Nursing was held on April 25, 2014 at 333 Guadalupe, Room 3-460, Austin, Texas, in which the Temporary Suspension of Permanent Registered Nurse License Number 532258, issued to SYLVIA MARIE PETERSON was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of SYLVIA MARIE PETERSON and whether her continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

**Charge I.**

On or about April 2, 2014, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on September 10, 2013. Non compliance is the result of Respondent's failure to abstain in that she produced a specimen for a drug screen, which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of Alcohol. Stipulation Number Ten (10) of the Agreed Order dated September 10, 2013, states:

"(10) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose."

**Charge II.**

On or about April 11, 2014, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on September 10, 2013. Non compliance is the result of Respondent's failure to abstain in that she produced a specimen for a drug screen, which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of Alcohol. Stipulation Number

Eleven (11) of the Agreed Order dated September 10, 2013, states:

"(6)PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose."

### **Charge III.**

On or about April 15, 2014, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on September 10, 2013. Non compliance is the result of Respondent's failure to abstain in that she produced a specimen for a drug screen, which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of Alcohol. Stipulation Number Eleven (11) of the Agreed Order dated September 10, 2013, states:

"(6)PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose."

The Texas Board of Nursing further finds that, given the nature of the charges concerning her fitness to practice, the continued practice of nursing by SYLVIA MARIE PETERSON constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Permanent Registered Nurse License Number 532258, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that, Permanent Registered Nurse License Number 532258, issued to SYLVIA MARIE PETERSON, to practice nursing in the State of Texas be, and the same is/are, hereby SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61<sup>st</sup> day following the date of the entry of this order.

Entered this 25<sup>th</sup> day of April, 2014.

TEXAS BOARD OF NURSING

BY:

A handwritten signature in dark ink, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR

D4551-12/06/2012

In the Matter of	§	BEFORE THE TEXAS
Permanent Registered Nurse	§	
License Number 532258 &	§	
Issued to SYLVIA MARIE PETERSON,	§	
Respondent	§	BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SYLVIA MARIE PETERSON, is a Registered Nurse holding License Number 532258 which is in current 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 April 2, 2014, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on September 10, 2013. Non compliance is the result of Respondent's failure to abstain in that she produced a specimen for a drug screen, which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of Alcohol. Stipulation Number Eleven (11) of the Agreed Order dated September 10, 2013, states:

"(6)PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose."

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b) (1) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

#### CHARGE II.

On or about April 11, 2014, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on September 10, 2013. Non compliance is the result of Respondent's failure to abstain in that she produced a specimen for a drug screen, which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of Alcohol. Stipulation Number Eleven (11) of the Agreed Order dated September 10, 2013, states:

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On or about April 15, 2014, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on September 10, 2013. Non compliance is the result of Respondent's failure to abstain in that she produced a specimen for a drug screen, which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of Alcohol. Stipulation Number Eleven (11) of the Agreed Order dated September 10, 2013, states:

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The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b) (1) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

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](http://www.bon.texas.gov).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, for Fraud, Theft and Deception, and for Sexual Misconduct, which can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

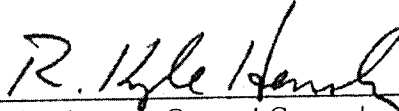
NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.texas.gov/disciplinaryaction/discp-matrix.html](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order dated September 10, 2013.

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CONTINUED ON NEXT PAGE.

Filed this 25<sup>th</sup> day of April, 2014.

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

John Vanderford, Assistant General Counsel  
State Bar No. 24086670

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

Attachments: Order of the Board dated September 10, 2013.

D/2013 11 19

# BEFORE THE TEXAS BOARD OF NURSING



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.  
*Stephanie O'Hanrahan*  
 Executive Director of the Board

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In the Matter of  
 Registered Nurse License Number 532258  
 issued to SYLVIA MARIE PETERSON

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REINSTATEMENT

AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 532258, held by SYLVIA MARIE PETERSON, hereinafter referred to as Petitioner.

An informal conference was held on June 25, 2013, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, FAAN, Executive Director; John R. Griffith, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Peter Marana, Law Clerk; and Diane E. Burell, Investigator.

## FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner received a Diploma in Nursing from Salvation Army Grace General Hospital, St. Johns New Foundland, Canada, on September 1, 1975. Petitioner was originally licensed to practice professional nursing in the State of Texas on July 30, 1986.
4. Petitioner's professional nursing employment history includes:

1975 - 1978

Staff Nurse

Grace General  
 Carbonear General  
 Jane Way Child Health Center

1978 - 1979

Staff Nurse

Memorial Medical Center  
 Hollywood, Florida

Petitioner's professional nursing employment history continued:

1/80 - 12/81	Staff/Charge Nurse	Memorial Hospital British Columbia
2/82 - 1983	Staff Nurse	St. Clare's Newfoundland, Canada
1986 - 1987	Charge Nurse	McAllen Medical Center McAllen, Texas
10/88 - 6/91	Charge Nurse	Memorial Medical Center Corpus Christi, Texas
6/91 - 8/92	ADON/DON	Lynn Haven and Sunnybrook Nursing Home Corpus Christi, Texas
4/93 - 9/94	ADON/DON	Amistad Care Center Pearsall and Uvalde, Texas
1996	Agency Nurse	Eagle Pass Home Care Eagle Pass, Texas
6/05 - Unknown	Charge Nurse	Christus Spohn Memorial Corpus Christi, Texas
4/11 - 4/12	Staff Nurse	Valley Baptist East Campus Hospital Brownsville, Texas
5/12 - present	Not employed in nursing	

5. On September 13, 2011, Petitioner's license(s) to practice professional nursing in the State of Texas was Revoked by the Texas Board of Nursing. A copy of the Order of the Board and Formal Charges are attached and incorporated, by reference, as a part of this Order.
6. On or about March 20, 2013, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
7. Petitioner presented the following in support of her petition:
  - 7.1. Letter, dated March 19, 2013, from Myriah Willborn, DO, San Marcos Family Medicine, San Marcos, Texas, stating Petitioner is fit to work as a nurse. Although her preliminary urine drug screen was negative, it is pending confirmation as well as results of blood work.
  - 7.2. Verification of successful completion of a minimum of twenty (20) contact hours of continuing education.



### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

### ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of SYLVIA MARIE PETERSON, Registered Nurse License Number 532258, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in 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 Petitioner to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Petitioner's license(s) is/are encumbered by this Order, Petitioner 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 Petitioner wishes to work.

(1) PETITIONER SHALL pay all re-registration fees and be issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation. Said licenses issued to SYLVIA MARIE PETERSON, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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. PETITIONER 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 PETITIONER'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) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in medication administration. PETITIONER 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. PETITIONER SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. PETITIONER SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify PETITIONER'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) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing documentation. PETITIONER 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. PETITIONER SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify PETITIONER'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>.

(5) PETITIONER SHALL, within one (1) year of relicensure, 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, PETITIONER 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 PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) 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:**

(6) PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER 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.

(7) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) For the first year of employment as a Nurse under this Order, PETITIONER SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). The PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) For the remainder of the stipulation period, PETITIONER 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 PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(10) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the nurse who supervises the PETITIONER. 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 two (2) year(s) of employment as a nurse.

(11) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, PETITIONER SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and PETITIONER SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

(12) PETITIONER SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances and their metabolites:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the PETITIONER'S place of employment at any time during the stipulation period and require PETITIONER to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. PETITIONER SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject the nurse to further disciplinary action, including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

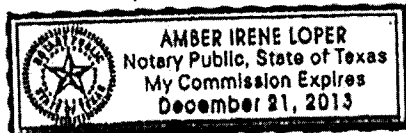
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 20<sup>th</sup> day of July, 2013

Sylvia Marie Peterson  
SYLVIA MARIE PETERSON, Petitioner

Sworn to and subscribed before me this 20<sup>th</sup> day of July, 2013.

SEAL

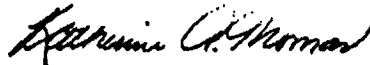


[Signature]  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 20th day of July, 2013, by SYLVIA MARIE PETERSON, Registered Nurse License Number 532258, and said Order is final.

Effective this 10th day of September, 2013.



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

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 532258  
ISSUED TO  
SYLVIA MARIE PETERSON

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BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE TEXAS  
BOARD OF NURSING



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.  
*Stephanie A. Brown*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: SYLVIA MARIE PETERSON  
1802 Ennis Joslin #319  
Corpus Christi, Texas 78412

During open meeting held in Austin, Texas, on September 13, 2011, the 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 of the Texas Board of Nursing 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 to practice professional 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 Eligibility and Disciplinary 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 Certificate Number 532258, previously issued to SYLVIA MARIE PETERSON, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice professional nursing in the State of Texas.

Entered this 13th day of September, 2011.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed July 22, 2011.

§ BEFORE THE TEXAS  
§  
§  
§ BOARD OF NURSING

## FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SYLVIA MARIE PETERSON, is a Registered Nurse holding license number 532258, which is in current 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 August 3, 2010, through October 29, 2010, while employed as a Registered Nurse with CHRISTUS Spohn Hospital Corpus Christi-Memorial, Corpus Christi, Texas, Respondent withdrew Lorazepam from the Medication Dispensing System for patient in excess frequency/dosage of the physicians' orders, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>Order</u>
2683106	08/03/10	1935	Lorazepam 2mg tab (1)	Lorazepam 2mg tab PO Q6H PRN anxiety
2683106	08/03/10	2041	Lorazepam 2mg tab (1)	Lorazepam 2mg tab PO Q6H PRN anxiety
2690233	08/16/10	1946	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H PRN
2690233	08/17/10	0101	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H PRN
2699159	09/07/10	2000	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H PRN agitation
2699159	09/07/10	2335	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H PRN agitation
2720069	10/05/10	1934	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H PRN
2720069	10/05/10	2103	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H PRN
2723918	10/12/10	2118	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H
2723918	10/12/10	2220	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H
2723918	10/13/10	2014	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H
2723918	10/13/10	2127	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H
2729597	10/27/10	2001	Lorazepam 1mg tab (1)	Ativan .5-1mg PO Q6H PRN anxiety
2729597	10/27/10	2001	Lorazepam 1mg tab (1)	Ativan .5-1mg PO Q6H PRN anxiety
2733803	10/29/10	2017	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H PRN anxiety
2733803	10/29/10	2039	Lorazepam 2mg tab (1)	Ativan 2mg PO/IM Q6H PRN anxiety

Respondent's conduct was likely to injure the patient in that the administration of Lorazepam in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(B)&(4).

## CHARGE II.

On or about August 3, 2010, through October 30, 2010, while employed as a Registered Nurse with CHRISTUS Spohn Hospital Corpus Christi-Memorial, Corpus Christi, Texas, Respondent withdrew Lorazepam from the Medication Dispensing System for patients, but failed to document, or accurately documents the administration of the medications in the patients' Medication Administration Records and/or nurse's notes, as follow:

Patient	Date	Time Pulled	Medication	MAR	Nurses Notes	Waste	Order
2683106	08/03/10	2041	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg tab PO Q6H PRN anxiety
2683106	08/04/10	2236	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg tab PO Q6H PRN anxiety
2687736	08/10/10	1943	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2687736	08/11/10	1957	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2687736	08/12/10	2011	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2690233	08/16/10	1946	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	08/16/10	2303	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO/IM Q4H PRN
2690233	08/17/10	0101	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	08/17/10	2009	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2691020	08/18/10	0445	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2691036	08/18/10	2007	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2695879	08/25/10	2002	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2695879	08/26/10	2016	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2699159	08/31/10	2005	Lorazepam 2mg tab (1)	None	None	None	Ativan .5mg PO BID
2698744	09/01/10	2022	Lorazepam 2mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2698744	09/02/10	2009	Lorazepam 2mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2699159	09/07/10	2000	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg PO Q6H PRN agitation
2701750	09/09/10	2047	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2701750	09/13/10	2007	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2706325	09/14/10	1956	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN

2706325	09/15/10	0506	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2710639	09/18/10	2032	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2710639	09/19/10	1947	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2713371	09/23/10	2026	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2715039	09/27/10	2006	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2715039	09/28/10	1953	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2715039	09/29/10	2000	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2720069	10/05/10	2103	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2720069	10/07/10	1939	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/12/10	2030	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2723918	12/12/10	2118	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2723918	10/13/10	0719	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/13/10	2008	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/15/10	2035	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/19/10	2006	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/20/10	1959	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/21/10	2005	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/22/10	2032	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2726945	10/25/10	2038	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2729397	10/27/10	2001	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO TID
2726945	10/29/10	2014	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2733803	10/30/10	0427	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN anxiety

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4)&(10)(B).

### CHARGE III.

On or about August 3, 2010, through October 30, 2010, while employed as a Registered Nurse with CHRISTUS Spohn Hospital Corpus Christi-Memorial, Corpus Christi, Texas, Respondent withdrew Lorazepam from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>MAR</u>	<u>Nurses Notes</u>	<u>Waste</u>	<u>Order</u>
2683106	08/03/10	2041	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg tab PO Q6H PRN anxiety
2683106	08/04/10	2236	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg tab PO Q6H PRN anxiety
2687736	08/10/10	1943	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2687736	08/11/10	1957	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2687736	08/12/10	2011	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2690233	08/16/10	1946	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	08/16/10	2303	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO/IM Q4H PRN
2690233	08/17/10	0101	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	08/17/10	2009	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2691020	08/18/10	0445	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2691036	08/18/10	2007	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2695879	08/25/10	2002	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2695879	08/26/10	2016	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2699159	08/31/10	2005	Lorazepam 2mg tab (1)	None	None	None	Ativan .5mg PO BID
2698744	09/01/10	2022	Lorazepam 2mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2698744	09/02/10	2009	Lorazepam 2mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2699159	09/07/10	2000	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg PO Q6H PRN agitation
2699159	09/08/10	2031	Lorazepam 2mg tab (1)	2100	.5mg	None	Lorazepam 2mg PO Q6H PRN agitation
2701750	09/09/10	2047	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2701750	09/13/10	2007	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2706325	09/14/10	1956	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2706325	09/15/10	0506	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2710639	09/18/10	2032	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2710639	09/19/10	1947	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2713371	09/23/10	2026	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2715039	09/27/10	2006	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2715039	09/28/10	1953	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2715039	09/29/10	2000	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2720069	10/05/10	2103	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2720069	10/07/10	1939	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/12/10	2030	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN

2723918	12/12/10	2118	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2723918	10/13/10	0719	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/13/10	2008	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/15/10	2035	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2726945	10/16/10	1950	Lorazepam 2mg tab (1)	2100	refused	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/19/10	2006	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/20/10	1959	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/21/10	2005	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/22/10	2032	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2726945	10/25/10	2038	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2729597	10/27/10	2001	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO TID
2726945	10/29/10	2014	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2733803	10/30/10	0427	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN anxiety

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(10)(C)&(11)(B).

#### CHARGE IV.

On or about August 3, 2010, through October 30, 2010, while employed as a Registered Nurse with CHRISTUS Spohn Hospital Corpus Christi-Memorial, Corpus Christi, Texas, Respondent misappropriated Lorazepam from the facility or patients thereof or failed to take precautions to prevent such misappropriation, as follows:

Patient	Date	Time Pulled	Medication	MAR	Nurses Notes	Waste	Order
2683106	08/03/10	2041	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg tab PO Q6H PRN anxiety
2683106	08/04/10	2236	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg tab PO Q6H PRN anxiety
2687736	08/10/10	1943	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2687736	08/11/10	1957	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2687736	08/12/10	2011	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2690233	08/16/10	1946	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	08/16/10	2303	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO/IM Q4H PRN
2690233	08/17/10	0101	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN



2691036	08/17/10	2009	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2691020	08/18/10	0445	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2691036	08/18/10	2007	Lorazepam 1mg tab (1)	None	None	None	Ativan 2mg PO/IM Q4H PRN
2695879	08/25/10	2002	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2695879	08/26/10	2016	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2699159	08/31/10	2005	Lorazepam 2mg tab (1)	None	None	None	Ativan .5mg PO BID
2698744	09/01/10	2022	Lorazepam 2mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2698744	09/02/10	2009	Lorazepam 2mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2699159	09/07/10	2000	Lorazepam 2mg tab (1)	None	None	None	Lorazepam 2mg PO Q6H PRN agitation
2699159	09/08/10	2031	Lorazepam 2mg tab (1)	2100	.5mg	None	Lorazepam 2mg PO Q6H PRN agitation
2701750	09/09/10	2047	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2701750	09/13/10	2007	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2706325	09/14/10	1956	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2706325	09/15/10	0506	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2710639	09/18/10	2032	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2710639	09/19/10	1947	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2713371	09/23/10	2026	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO/IM Q6H PRN
2715039	09/27/10	2006	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2715039	09/28/10	1953	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2715039	09/29/10	2000	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2720069	10/05/10	2103	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2720069	10/07/10	1939	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/12/10	2030	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2723918	12/12/10	2118	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2723918	10/13/10	0719	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/13/10	2008	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2691036	10/15/10	2035	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2726945	10/16/10	1950	Lorazepam 2mg tab (1)	2100	refused	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/19/10	2006	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/20/10	1959	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/21/10	2005	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2727255	10/22/10	2032	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN

2726945	10/25/10	2038	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2729597	10/27/10	2001	Lorazepam 1mg tab (1)	None	None	None	Ativan 1mg PO TID
2726945	10/29/10	2014	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN
2733803	10/30/10	0427	Lorazepam 2mg tab (1)	None	None	None	Ativan 2mg PO/IM Q6H PRN anxiety

Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(6)(G)&(8).

#### CHARGE V.

On or about October 13, 2010, through October 30, 2010, while employed as a Registered Nurse with CHRISTUS Spohn Hospital Corpus Christi-Memorial, Corpus Christi, Texas, Respondent falsely documented that she had administered Lorazepam and Tylenol/Codeine #3 to patients when there were no withdraws by the Respondent from the Medication Dispensing System associated with the dates and times Respondent documented as administered, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time Pulled</u>	<u>Medication</u>	<u>MAR</u>	<u>Waste</u>	<u>Order</u>
2723918	10/13/10	None	Acetaminophen 300mg/Codeine 30mg tab (1)	1113	None	Tylenol #3 1 tab PO Q6H PRN pain
2723918	10/13/10	None	Ativan 2mg	1425	None	Ativan 2mg Q6H PRN
2733803	10/30/10	None	Lorazepam 2mg tab	1420	None	Ativan 2mg PO/IM Q6H PRN anxiety

Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in nonefficacious treatment.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(C), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B) and (4).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license 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).

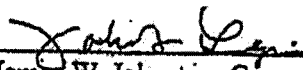
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Lying and Falsification, for Fraud, Theft & Deception, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.state.tx.us/disciplinaryaction/discp-matrix.html](http://www.bon.state.tx.us/disciplinaryaction/discp-matrix.html).

Filed this 22nd day of July, 2011.

TEXAS BOARD OF NURSING

  
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Board Certified - Administrative Law  
Texas Board of Legal Specialization  
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D/2010.12.28

Re: Permanent Certificate Number 532258  
Issued to SYLVIA MARIE PETERSON  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15<sup>th</sup> day of September, 2011, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

SYLVIA MARIE PETERSON  
1802 Ennis Joslin #319  
Corpus Christi, Texas 78412

BY:



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