



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 525149 §  
issued to PHILMA NOREEN DAVIS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of PHILMA NOREEN DAVIS, Registered Nurse License Number 525149, 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), 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 April 11, 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.
4. Respondent received an Associate Degree in Nursing from San Antonio College, San Antonio, Texas, on May 1, 1985. Respondent was licensed to practice professional nursing in the State of Texas on August 28, 1985.
5. Respondent's professional nursing employment history includes:

08/1985 - 10/2004                      Unknown

Respondent's professional nursing employment history continued:

10/2004 - Present	RN	Lakeshore Healthcare Services, Inc. Dallas, Texas
11/2005 -02/2012	RN	Century Home Healthcare Services LLC Richardson, Texas

6. On or about August 23, 2012, Respondent was arrested by the Rowlett Police Department, Rowlett, Texas, and charged with FORGE/INCREASE PRESCR QUANTITY/DANGER DRUG, a Class B misdemeanor offense. On or about January 3, 2013, Respondent entered a plea of "Nolo Contendere" to DANG DRUG FORGED RX, a Class B misdemeanor offense committed on August 23, 2012, in the County Criminal Court at Law No. 1, Dallas County, Texas, under Cause No. MB1247220A. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of six (6) months. Additionally, Respondent was ordered to pay a fine and court costs.
7. In response to Finding of Fact Number Six (6), Respondent states: I picked up a prescription for Tramadol that was called into the pharmacy without the Physician's approval. I did not call the prescription in. I did, however, ask the Medical Assistant, who is a relative, at the physician's office to call it in for me because I was unable to make an office visit. I was advised to plea with six (6) months probation and dismissal/expunge/sealing of my record. I have met all the terms of my probation. My action was a mistake and a lapse in judgment. My intent was not fraudulent or criminal.
8. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

#### 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(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 525149, heretofore issued to PHILMA NOREEN DAVIS, 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 LIMITED LICENSE 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 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) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(2) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such


approval, at which time, the RESPONDENT MUST satisfy all then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before re-issuance of an unencumbered license.

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WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22nd day of May, 2014, by PHILMA NOREEN DAVIS, Registered Nurse License Number 525149, and said Order is final.

Effective this 17 day of July, 2014.

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