



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  
Vocational Nurse License Number 150304 §  
issued to METRICE MASHAN MAYES § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of METRICE MASHAN MAYES, Vocational Nurse License Number 150304, 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), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 28, 2014.

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 notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Dallas Nursing Institute, Dallas, Texas, on August 26, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on October 31, 1994.
5. Respondent's nursing employment history includes:
 

1994 - Unknown	Licensed Vocational Nurse	Lake Park Nursing Center Lewisville, Texas
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Respondent's nursing employment history continued:

1994 - Unknown	Licensed Vocational Nurse and Charge Nurse	Parkland Hospital Dallas, Texas
1994 - Unknown	Licensed Vocational Nurse	Dallas County Falls Dallas, Texas
1995		Unknown
1996 - Unknown	Licensed Vocational Nurse	South Dallas Nursing Home Dallas, Texas
1996 - 1998	Licensed Vocational Nurse	Professional Care Center Dallas, Texas
1998 - 2001	Licensed Vocational Nurse and Staff Coordinator	Lake Park Nursing Center Lewisville, Texas
2001 - 2002	Licensed Vocational Nurse and HR Director	Convalescent Center Unknown
2002 - 2003	Licensed Vocational Nurse and Quality Assurance	Brentwood Healthcare Dallas, Texas
2003 - 2007	Assistant Director of Nursing	Golden Acres Dallas, Texas
2007 - 2008	Licensed Vocational Nurse	Brentwood Healthcare Dallas, Texas
2008 - 2010	Assistant Director of Nursing	Community Care Dallas, Texas
2010 - Unknown	Assistant Director of Nursing	Willow Bend Nursing Mesquite, Texas
2010 - 2014	Assistant Director of Nursing	Brentwood Healthcare Dallas, Texas
2/2014 - Present	Assistant Director of Nursing	Duncanville Healthcare and Rehabilitation Center Duncanville, Texas

6. At the time of the initial incident, Respondent was employed as an Assistant Director of Nursing with Duncanville Healthcare and Rehabilitation Center, Duncanville, Texas, and had been in that position for less than one (1) month.
7. On or about February 18, 2014, while employed as the Assistant Director of Nursing at Duncanville Healthcare and Rehabilitation Center, Duncanville, Texas, Respondent failed to document in the medical record of Patient AK a telephone order she received from the physician. Respondent failed to document a STAT order for insulin, as well as a change in the patient's tube feeding formula from Jevity to Glucerna. Respondent's conduct resulted in an inaccurate and incomplete medical record, and was likely to injure the patient in that subsequent care givers would not have complete information on which to base their care decisions.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states the physician assistant was notified. Respondent states the physician assistant gave her orders for the following: the patient to receive 18 units of insulin STAT, a change in the patient's gastrostomy tube feeding, finger stick orders for blood sugar checks and to initiate the physician's sliding scale for insulin. Respondent states she told a nurse to give the 18 units of insulin per orders. Respondent states she missed writing it in the orders.

#### 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),(1)(B),(1)(D)&(2)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 150304, heretofore issued to METRICE MASHAN MAYES.

#### TERMS OF ORDER

##### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

## II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to 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.

## III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) within one (1) year of entry of this Order, unless otherwise specifically indicated:

- A. A course in Texas nursing jurisprudence and ethics that 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. Home study courses and video programs will not be approved.
- B. A Board-approved course in nursing documentation that shall be a minimum of six (6) hours in length. The course's content shall include: 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. Home study courses and video programs will not be approved.

- E. **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/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

#### IV. **EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. 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 period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.

C. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

D. **Nursing Performance Evaluations:** 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 and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

V. **RESTORATION OF UNENCUMBERED LICENSE(S)**

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 entry of this 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 when this Order becomes final and the terms of this Order become effective, 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

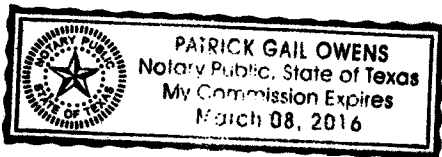
Signed this 30 day of October, 2014.  
M. Mayo  
METRICE MASHAN MAYES, Respondent

Sworn to and subscribed before me this 30 day of October, 2014.

SEAL

Patrick Gail Owens

Notary Public in and for the State of TX



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 30th day of October, 2014, by METRICE MASHAN MAYES, Vocational Nurse License Number 150304, and said Order is final.

Effective this 9th day of December, 2014.



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