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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 754707 §
& Vocational Nurse License Number 171111 §
issued to MICHELLE MARIA SANDIFER-LAWRENCE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MICHELLE MARIA SANDIFER-LAWRENCE, Registered Nurse License Number 754707 and Vocational Nurse License Number 171111, 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),(12)&(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 April 10, 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 delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Vernon Regional Junior College, Wichita Falls, Texas, on December 16, 1998, and received an Associate Degree from Vernon Regional Junior College, Wichita Falls, Texas, on May 10, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on February 11, 1999, and was licensed to practice professional nursing in the State of Texas on June 5, 2008.

5. Respondent's nursing employment history includes:

1998 - 1999	LVN	Denver Manor Nursing Home Wichita Falls, Texas
02/1999 - 09/2002	LVN	Midwestern Healthcare System Wichita Falls, Texas
09/2002 - 05/2008	LVN	United Regional Wichita Falls, Texas
05/2008 - 02/2012	RN	United Regional Wichita Falls, Texas
02/2012 - 04/2012	Unknown	
04/2012 - 11/2012	RN	Round Rock Medical Center Round Rock, Texas
11/2012 - Current	RN	Epic Healthcare Unknown

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Round Rock Medical Center, Round Rock, Texas, and had been in that position for three (3) months.
7. On or about July 19, 2012, while employed with St. David's Round Rock Medical Center, Round Rock, Texas, Respondent lacked fitness to practice professional nursing in that she showed up for her assigned shift exhibiting impaired behavior while on duty, including, but not limited to, displaying a pale appearance with dilated eyes, having difficulty seeing and speaking, hallucinating, and having conversations with invisible people. Subsequently, Respondent admitted to having a reaction to her medication and was sent home. Respondent's condition could have affected her ability to recognize subtle signs, symptoms, or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. On or about August 22, 2012, while employed with St. David's Round Rock Medical Center, Round Rock, Texas, Respondent lacked fitness to practice professional nursing in that she was observed exhibiting impaired behavior while on duty, including, but not limited to, displaying a pale/dusky appearance, stumbling around and swaying back and forth, appearing confused, repeatedly asking about patient assignments, and repeatedly looking for patient

kardex after being told multiple times that it had not yet arrived. Respondent's condition could have affected her ability to recognize subtle signs, symptoms, or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

9. On or about August 22, 2012, while employed with St. David's Round Rock Medical Center, Round Rock, Texas, Respondent failed to administer Patient R.W.'s medication as ordered by the physician. Additionally, Respondent falsely documented in the patient's Medication Administration Record (MAR) that she had administered the medication. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment. Respondent's conduct also resulted in inaccurate medical records and was likely to deceive subsequent care givers who relied on the information while providing care to the residents.
10. On or about August 22, 2012, while employed with St. David's Round Rock Medical Center, Round Rock, Texas, Respondent failed to assess and/or document an assessment for Patient M.C. Respondent's conduct could have deprived the patient of detection and timely medical intervention in the even the patient experienced a change in condition and was likely to injure the patient in that subsequent care givers would rely on her documentation to provide ongoing medical care for the patient.
11. On or about August 22, 2012, while employed with St. David's Round Rock Medical Center, Round Rock, Texas, Respondent failed to perform a twenty-four (24) hour chart check to verify current orders and therefore failed to enter physician orders for Patient M.C. Respondent's conduct created an incomplete medical record and was likely to injure the patient in that subsequent care givers would not have accurate or complete information to base their decisions for further care.
12. On or about August 22, 2012, while employed with St. David's Round Rock Medical Center, Round Rock, Texas, Respondent incorrectly labeled Patient R.W.'s lab specimens with another patient's information. Respondent's conduct unnecessarily exposed both patients to risk of harm from incorrectly reported lab results.
13. In response to Findings of Fact Seven (7) through Twelve (12), Respondent states that nothing was said to her on August 22, 2012 when she allegedly lacked fitness to practice and she was allowed to work her shift without intervention from any staff member. Furthermore, Respondent admits that she did "bug them for the cheat sheets," however, states that was only because she was ready to get started. Respondent states that she has never knowingly signed off a medication and not administered it. In regard to Respondent's failure to assess or document an assessment, she explains that the only explanations she can think of is that she did the assessment but was called away without either saving such assessment, she put it under the ICU assessment, or it was a new admit and she was told by the Charge Nurse and

she was able to use the admit assessment for the shift assessment. Respondent, in regard to the twenty-four (24) hour chart check, explains that it was routine for both the oncoming shift and outgoing shift to check the orders together so she doesn't see how she forgot orders and was not called on it by the oncoming shift that was checking the chart with her. Respondent states that she was the one who noticed that Patient R.W.'s labs had been mislabeled after the wrong patient's chart labels had been inserted in said patient's chart. Respondent explains that she called the lab and informed them and did not try to conceal her mistake.

14. On or about February 28, 2014, Respondent underwent a Chemical Dependency Evaluation by Brandon Bates, Psy.D. Dr. Bates states that he does not believe there is an issue with Respondent being able to practice nursing with reasonable skill and safety to patients. Additionally, Dr. Bates states that "Her behavior and cognitive status at work a few times last year certainly appear to raise concerns. However, there is no reason to believe this behavior or impaired cognitive functioning is due to her abusing drugs or misusing medication. While undergoing the Chemical Dependency Evaluation, Respondent informed the evaluator that her "impairment" was the result of taking Topamax.

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),(B),(C),(D)&(2) and 22 TEX. ADMIN. CODE § 217.12(1)(A),(B),(C),(4),(5),(6)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 754707 and Vocational Nurse License Number 171111, heretofore issued to MICHELLE MARIA SANDIFER-LAWRENCE.

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 courses **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. **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.*

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing 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 periods 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 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 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. **Indirect Supervision:** 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.

- 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. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. **While under the terms of this Order, RESPONDENT SHALL abstain from the use of alcohol, tramadol and all controlled substances,** except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT 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 RESPONDENT 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.
- B. **While working as a nurse under the terms of this Order, RESPONDENT SHALL submit to random periodic screens for alcohol, tramadol, and controlled substances.** The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when Respondent obtains employment and submits the Notification of Employment form to the Board.
- For the first three (3) month [1st quarter] period RESPONDENT works as a nurse under the terms of this Order, random screens shall

- be performed at least once per week.
- For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
- For the next six (6) month period [3rd & 4th quarters], 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) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board. Any test result for a period of time in which the RESPONDENT is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. 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. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

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 RESPONDENT'S place of employment at any time during the stipulation/probation period and require RESPONDENT to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which RESPONDENT does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject RESPONDENT to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent'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.

VI. 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 17th day of November, 2014.

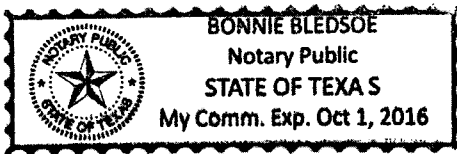
Michelle M. Sandifer-Lawrence
MICHELLE MARIA SANDIFER-LAWRENCE, Respondent

Sworn to and subscribed before me this 17 day of Nov 2014.

SEAL

Bonnie Bledsoe

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 17th day of November, 2014, by MICHELLE MARIA SANDIFER-LAWRENCE, Registered Nurse License Number 754707 and Vocational Nurse License Number 171111, and said Order is final.

Effective this 22nd day of January, 2015.



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