



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

In the Matter of § AGREED
Registered Nurse License Number 776259 §
issued to HEATHER DIANE ALLISON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of HEATHER DIANE ALLISON, Registered Nurse License Number 776259, 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 March 17, 2015.

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 professional nurse in the State of Texas is in delinquent status.
4. Respondent received an Associate Degree in Nursing from St. John's School of Nursing, Springfield, Missouri, on December 15, 2000. Respondent was licensed to practice professional nursing in the State of Texas on October 8, 2009.
5. Respondent's nursing employment history includes:

12/2000 - 05/2003	RN	St. John's Hospital Springfield, Missouri
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Respondent's professional nursing employment history continued:

05/2003 - 10/2003	RN	St. Mary's Hospital Tucson, Arizona
11/2003 - 09/2004	RN	Lester E. Cox South Springfield, Missouri
10/2004 - 06/2005	RN	Orthopedic Specialist of Springfield Springfield, Missouri
06/2005 - 08/2006	RN	University of Kansas Medical Center Kansas City, Kansas
08/2006 - 05/2008	RN	Truman Medical Center Kansas City, Missouri
05/2008 - 02/2009	RN	Intelistaf Healthcare INC Boca Raton, Florida
02/2009 - 10/2010	Travel RN	AMN Healthcare San Diego, California
03/2009 - 05/2009	Travel RN	Hillcrest Medical Center Tulsa, Oklahoma
06/2009 - 08/2009	Travel RN	Dallas Regional Medical Center Dallas, Texas
08/2009 - 11/2009	Travel RN	East Texas Medical Center Tyler, Texas
11/2009 - 05/2010	RN	Consolidated Home Health Lufkin, Texas
06/2010 - 10/2010	Travel RN	Memorial Hermann Southwest Houston, Texas
09/2010 - 10/2010	Travel RN	Hendrick Medical Center Abilene, Texas

Respondent's professional nursing employment history continued:

11/2010 - 01/2011	Travel RN	Cirrus Medical Staffing Charlotte, North Carolina
11/2010 - 02/2011	Travel RN	University Physicians Medical Center Tucson, Arizona
04/2011 - 05/2012	Travel RN	Nightingale Nurses, LLC Boca Raton, Florida
04/2011 - 11/2011	RN	St. Joseph Medical Center Houston, Texas
12/2011 - 05/2012	Travel RN	St. Louis University Hospital St. Louis, Missouri
05/2012 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Nightingale Nurses, LLC, Boca Raton, Florida, and had been in that position for approximately nine (9) months.
7. On or about January 9, 2012, through March 30, 2012, while utilizing her Privilege to Practice (PTP) from Texas RN #776259, employed with Nightingale Nurses, LLC, Boca Raton, Florida, and on assignment with Saint Louis University Hospital, Saint Louis Missouri, Respondent withdrew Hydromorphone and Fentanyl from the Pyxis medication dispensing system for patients, but failed to document the administration and/or wastage of the medication as follows:

Date/Time	Patient	Medication	Physician's Order	Medication Administration Record	Wastage
01/09/2012 21:15	KD H00910487909	Hydromorphone HCl 2mg/ml vial (1)	Dilaudid 2mg IVP once, cancelled @ 22:39	None	None
01/12/2012 02:36	NMcE H00910503457	Fentanyl 100mcg 2ml vial (1)	Fentanyl 50mcg IVP once	02:39 Fentanyl 50mcg IVP	None
02/06/2012 21:47	DJ H00910636380	Fentanyl 100mcg 2ml vial (1)	Fentanyl 75mcg IVP once	21:47 Fentanyl 75mcg	None
03/22/2012 01:35	RP H00910868405	Hydromorphone HCl 2mg/ml vial (1)	None (See Note 1)	None	1.5mg

Note 1: No Order at time pulled

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.

8. On or about March 22, 2012, while utilizing her Privilege to Practice (PTP) from Texas RN #776259, employed with Nightingale Nurses, LLC, Boca Raton, Florida, and on assignment at Saint Louis University Hospital, Saint Louis, Missouri, Respondent removed Hydromorphone from the Pyxis medication dispensing system for patients without a valid physician's order, as follows:

Date/Time	Patient	Medication	Physician's Order	Medication Administration Record	Wastage
03/22/2012 01:35	RP H00910868405	Hydromorphone HCl 2mg/ml vial (1)	No Order at Time Pulled	None	1.5mg

Respondent's conduct was likely to injure the patients in that the administration of Dilaudid without a valid physician's order could result in the patient suffering from adverse reactions.

9. Formal Charges were filed on April 18, 2014.
10. Formal Charges were mailed to Respondent on April 21, 2014.

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) and 22 TEX. ADMIN. CODE § 217.12(1)(A), (1)(B), (4), (10)(B) & (10)(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10) & (13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 776259, heretofore issued to HEATHER DIANE ALLISON, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REPRIMAND 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 the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved 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.
- C. **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 direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) 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. Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT 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 RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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. Indirect Supervision:** For the remainder of the stipulation/probation period, 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.
- E. 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 eight (8) quarters [two (2) years] 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

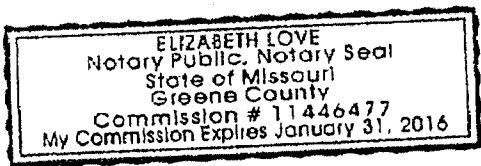
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 20th day of March, 2015.
Heather Diane Allison
HEATHER DIANE ALLISON, Respondent

Sworn to and subscribed before me this 20th day of March, 2015.

SEAL

Elizabeth Love
Notary Public in and for the State of Missouri



Approved as to form and substance.
Taralynn R. Mackay
Taralynn Mackay, Attorney for Respondent

Signed this 20th day of March, 2015.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of March, 2015, by HEATHER DIANE ALLISON, Registered Nurse License Number 776259, and said Order is final.

Effective this 16th day of April, 2015.



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