



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
Vocational Nurse License Number 155087 §
issued to LANA K. CALVIN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LANA K. CALVIN, Vocational Nurse License Number 155087, 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 February 11, 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 vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Nursing from Kilgore College, Longview, Texas, on August 18, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on October 18, 1995.
5. Respondent's nursing employment history includes:

Unknown - Present	ADON	Truman W. Smith Children's Care Center Gladewater, Texas
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6. On or about January 9, 2012, Respondent was issued a Corrective Action by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Corrective Action dated January 9, 2012, is attached and incorporated, by reference, as part of this Order.
7. At the time of the incident, Respondent was employed as an Assistant Director of Nursing with Truman W. Smith Children's Care Center, Gladewater, Texas.
8. On or about December 28, 2013, and December 31, 2013, while employed as Assistant Director of Nursing with Truman W. Smith Children's Care Center, Gladewater, Texas, Respondent failed to administer tube feedings, treatments, and medications, including, but not limited to: Jevity 1.0, Zantac, Baclofen, Multivitamins with Minerals, Miralax, Phenobarbital, and Promod to Resident Number 455, as ordered by a physician. Respondent's conduct was likely to injure the resident in that failure to administer tube feedings, treatments and medications as ordered by a physician could have resulted in non-efficacious treatment.
9. On or about December 28, 2013, and December 31, 2013, while employed as Assistant Director of Nursing with Truman W. Smith Children's Care Center, Gladewater, Texas, Respondent failed to administer tube feedings, treatments, and medications, including, but not limited to: Mupirocin Ointment, PediaSure with Fiber, Baclofen, Clorazepate, Keppra, Multivitamins, and Zantac to Resident Number 681, as ordered by a physician. Respondent's conduct was likely to injure the resident in that failure to administer tube feedings, treatments and medications as ordered by a physician could have resulted in non-efficacious treatment.
10. On or about December 28, 2013, and December 31, 2013, while employed as Assistant Director of Nursing with Truman W. Smith Children's Care Center, Gladewater, Texas, Respondent failed to administer tube feedings, treatments, and medications, including, but not limited to: Formula, Vivonex, Phenobarbital, Calcium Carbonate, Multivitamins, and Lactulose to Resident Number 611, as ordered by a physician. Respondent's conduct was likely to injure the resident in that failure to administer tube feedings, treatments and medications as ordered by a physician could have resulted in non-efficacious treatment.
11. On or about December 28, 2013, and December 31, 2013, while employed as Assistant Director of Nursing with Truman W. Smith Children's Care Center, Gladewater, Texas, Respondent failed to administer tube feedings, treatments, and medications, including, but not limited to: Jevity 1.5, Miralax, Valium, and Chlorhexidine to Resident Number 477, as ordered by a physician. Respondent's conduct was likely to injure the resident in that failure to administer tube feedings, treatments and medications as ordered by a physician could have resulted in non-efficacious treatment.
12. On or about December 28, 2013, and December 31, 2013, while employed as Assistant Director of Nursing with Truman W. Smith Children's Care Center, Gladewater, Texas, Respondent failed to administer tube feedings, treatments, and medications, including, but not limited to: Folic Acid, Potassium Liquid, Sulfasalazine, Baclofen, Lamictal, Topamax, and Tegretol to Resident Number 256, as ordered by a physician. Respondent's conduct was

likely to injure the resident in that failure to administer tube feedings, treatments and medications as ordered by a physician could have resulted in non-efficacious treatment.

13. On or about December 31, 2013, while employed as Assistant Director of Nursing with Truman W. Smith Children's Care Center, Gladewater, Texas, Respondent failed to administer Clonazepam to Resident Numbers 507, as ordered by a physician. Respondent's conduct was likely to injure the resident in that failure to administer medication as ordered by a physician could have resulted in non-efficacious treatment.
14. In response to Findings of Fact Numbers Eight (8) through Thirteen (13), Respondent states she does not have a reason as to why the medications of December 28, 2013, appear to have been omitted but knows they were monitored, per protocol, on both dates and no harm or seizure activity was noted. Further, Respondent states she or another nurse may have administered the medication but not initialed in the MAR that the medication was administered. Regarding the medications of December 31, 2013, Respondent states she became ill with a high temperature and flu-like symptoms. Respondent states she informed the RN on duty and another ADON, but there was no help or replacement for her that night. Respondent states that when she began running a fever she did not go into any of the children's rooms due to their fragile conditions. Respondent is terribly sorry these things happened.
15. Formal Charges were filed on October 8, 2014.
16. Formal Charges were mailed to Respondent on October 10, 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)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(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 155087, heretofore issued to LANA K. CALVIN.
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 **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 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 medication administration with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. 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. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. 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.
- D. 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 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. **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. 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.

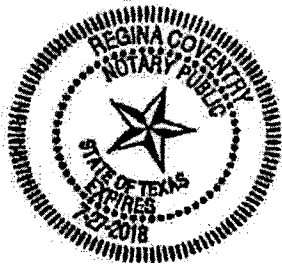
Signed this 20 day of February, 2015.

Lana K Calvin
LANA K. CALVIN, Respondent

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

SEAL

Regina Coventry
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 20th day of February, 2015, by LANA K. CALVIN, Vocational Nurse License Number 155087, 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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § CORRECTIVE
License Number 155087 §
issued to LANA K. CALVIN § ACTION

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LANA K. CALVIN, Vocational Nurse License Number 155087, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel and agreed to the entry of this Corrective Action offered on December 15, 2011, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel and agreed to the entry of this Corrective Action.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Kilgore College, Longview, Texas, on August 18, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on October 18, 1995.
5. On or about February 28, 2010, Respondent submitted an Online Renewal Document to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
A. been convicted of a misdemeanor?"

- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that on or about July 23, 2009, Respondent pled Guilty and was convicted for the lesser offense ISSUANCE OF BAD CHECK, a Class C misdemeanor offense committed on April 11, 2007, in the County Court, Franklin County, Texas, under Cause No. 10859.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 and 301.651-301.657, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I).
4. Respondent's conduct constitutes grounds for corrective action pursuant to Section 301.652, Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.32(2)(D).

CORRECTIVE ACTION

IT IS THEREFORE AGREED that RESPONDENT SHALL successfully complete the following requirements of this CORRECTIVE ACTION:

IT IS FURTHER AGREED and ORDERED that, until successfully completed, this Corrective Action SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

(1) 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.*

(2) RESPONDENT SHALL, within one (1) year of the date of this Corrective Action, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT 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. RESPONDENT 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 RESPONDENT'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) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of this Corrective Action. Payment is to be made directly to the Texas Board of Nursing in the form of

cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Corrective Action, this matter shall be closed and this Corrective Action shall remain confidential. However, should Respondent fail to successfully complete the terms of this Corrective Action, this matter shall be terminated immediately and shall be treated as a disciplinary proceeding under Subchapter J, TEX. OCC. CODE. Further, should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Corrective Action shall be treated as prior disciplinary action.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Corrective Action. I waive representation by counsel. I have reviewed this Corrective Action. I neither admit nor deny the violation alleged herein. By my signature below, I agree to the entry of this Corrective Action and to successfully complete its conditions, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Corrective Action becomes effective, a copy will be mailed to me. I understand that if I fail to successfully complete the terms and conditions of this Corrective Action, I will be subject to investigation and disciplinary sanction, including possible revocation of my license to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 4th day of January, 2012.

Lana K Calvin

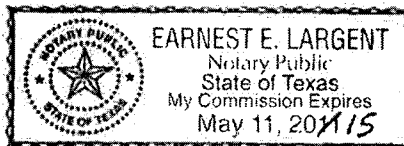
LANA K. CALVIN, Respondent

Sworn to and subscribed before me this 4 day of Jan., 2012.

SEAL

Earnest E. Largent

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby impose this Corrective Action that was signed on the 4th day of January, 2012, by LANA K. CALVIN, Vocational Nurse License Number 155087.

Effective this 9th day of January, 2012.



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

