



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 624603 §  
issued to WILLIE RUTH HARRIS-KALLON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of WILLIE RUTH HARRIS-KALLON, Registered Nurse License Number 624603, 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 June 29, 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 current status.
4. Respondent received a Baccalaureate Degree in Nursing from Florida A&M University, Tallahassee, Florida, on May 1, 1974. Respondent was licensed to practice professional nursing in the State of Texas on January 16, 1996.
5. Respondent's nursing employment history includes:
 

07/94 - 07/95	RN	US Public Health Services Anchorage, Alaska
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Respondent's nursing employment history continued:

08/96 - 07/06	RN	Rad Link Staffing Houston, Texas
08/96 - 07/06	RN	Tri Star Medical Staffing Houston, Texas
08/96 - 07/06	RN	Prime Staff Houston, Texas
08/96 - 07/06	RN	Progressive Medical Staffing Houston, Texas
04/06 - 07/07	RN	Kirby Surgical Center Houston, Texas
08/06 - 02/07	RN	Plaza Hospital Houston, Texas
08/06 - 02/07	RN	St. Joseph's Hospital Houston, Texas
08/06 - 02/07	RN	Twelve Oaks Hospital Houston, Texas
08/06 - 02/07	RN	First Street SC Houston, Texas
07/07 - 02/08	RN	Simi Valley Hospital Simi Valley, California
03/08 - 07/08	RN	Howard University Hospital Washington, D.C.
07/08 - 09/08	RN	August Mental Health Center Los Angeles, California
10/08 - 01/09	RN	Kaiser Permanente Harbor City, California
02/09 - 04/09	RN	Advanced Counseling & Psychiatric Clinic Escondido, California

Respondent's nursing employment history continued:

04/09 - 08/09	RN	Kirby Surgical Center Houston, Texas
09/09 - 10/09	RN	Dillard Mental Health Center Philadelphia, Pennsylvania
11/09 - 12/09	RN	TruStaff Porterville, California
12/09 - 08/11	RN	Rad Link Staffing Houston, Texas
01/10 - 07/10	RN	Bellaire Behavioral Hospital Houston, Texas
08/10 - 12/10	RN	Rad Link Staffing Houston, Texas
12/10 - 01/11	RN	Riverside Hospital Riverside, California
01/11 - 03/11	RN	True Results Physician Surgery Center Houston, Texas
02/11 - 03/11	RN	U.S. Nursing Corp Washington, D.C.
05/11 - 08/11	RN	Fastaff Travel Nursing Santa Rosa, California
07/11 - 08/11	RN	RN Network Travel Nursing Houston, Texas
09/11 - 09/11	RN	U.S. Nursing Corp Santa Rosa, California
10/11 - 11/11	Unknown	
12/11 - 12/12	RN	Altus Healthcare Management Services Houston, Texas

Respondent's nursing employment history continued:

02/12 - 12/12	RN	U.S. Nursing Corp San Mateo, California
02/12 - 07/12	RN	Special Kids Care Houston, Texas
11/12 - 01/13	RN	Special Kids Care Houston, Texas
01/13 - 08/13	RN	Dillard House Mental Health Center and International Youth Services Philadelphia, Pennsylvania
08/13 - Present	RN	Nurse Finders Staffing Agency Tallahassee, Florida

6. At the time of the incident, Respondent was employed as a Registered Nurse with Altus Healthcare Management Services, Houston, Texas, and had been in this position for three (3) months.
7. On or about March 1, 2012, through November 2, 2012, while employed as a Registered Nurse with Altus Healthcare Management Services, Houston, Texas, and assigned to the Post Anesthesia Care Unit (PACU), Respondent administered Demerol, Dilaudid, and Morphine to Patient Account Numbers 38516, 38517, 38710, 39281, 39482, 39374, 39601 (etc.) in excess frequency and/or excess dosage of physicians' orders. Respondent's conduct was likely to injure the patients in that the administration of medication in excess dosage of the physicians' orders could result in the patients suffering from adverse reactions, and is in violation of Chapter 481 (Controlled Substances Act).
8. On or about March 1, 2012, through November 2, 2012, while employed as a Registered Nurse with Altus Healthcare Management Services, Houston, Texas, and assigned to the Post Anesthesia Care Unit (PACU), Respondent failed to administer Demerol, Dilaudid, and Morphine to Patient Account Numbers 38516, 38517, 38710, 39281, 39482, 39374, 39601 (etc.), as ordered by a physician. Respondent's conduct was likely to injure the patients in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment.
9. On or about March 8, 2012, through October 23, 2012, while employed as a Registered Nurse with Altus Healthcare Management Services, Houston, Texas, and assigned to the Post Anesthesia Care Unit (PACU), Respondent signed out Dilaudid and Morphine from the facility's Narcotic Inventory Records for Patient Account Numbers 38577, 38517, 23327,

27892, 40898 and 41019, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications. Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act).

10. On or about May 8, 2012, through May 15, 2012, while employed as a Registered Nurse with Altus Healthcare Management Services, Houston, Texas, and assigned to the Post Anesthesia Care Unit (PACU), Respondent administered Zofran to Patient Account Number 33486 and Vicodin to Patient Account Number 39236, without valid physicians' orders. Respondent's conduct was likely to injure the patients, in that the administration of medications without a valid physician's order could result in the patient suffering from adverse reactions, and Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) and Chapter 483 (Dangerous Drugs Act) of the Texas Health and Safety Code.
11. In response to Findings of Fact Numbers Seven (7) through Ten (10), Respondent makes no admission of any wrongdoing and asserts that the allegations made against her were the result of a conspiracy against her based on both personal and professional biases from the people that she worked with. Respondent asserts that the facility systems in place at the time of the alleged incidents were flawed and contributed to a difficult and hostile workplace and created conditions where mistakes could be made. Respondent asserts that these systemic problems were the true cause of these alleged documentation mistakes and contributed to any alleged medication errors that may have occurred. Respondent asserts that these systemic problems were made worse by the arbitrary condoning of these problems by the facility management, despite Respondent's attempts to raise these issues and get the problems corrected. Based on the drug auditing systems that were in place at the time of the incidents, with required medication checks and counts after every shift, any alleged errors should have been caught immediately if any medications were actually unaccounted for on the unit and it should not have been possible for medications to go unaccounted for on the unit. Respondent asserts that in an attempt to improve her nursing since these alleged incidents, she has taken a course in Medical Error Prevention and Root Cause Analysis. Respondent further asserts that over her career, including her service in the military, she has never had a chemical dependency problem and has submitted herself to numerous drug screens that have all had negative results.
12. On January 24, 2014, Respondent presented for a chemical dependency evaluation to Dr. J. Ray Hays. Dr. Hays states that based on the results of Respondent's evaluation, there is no evidence of any substance abuse problems. His interview and test results do not suggest that she has any impairment in her ability to act in accordance to the Board's Rules and Standards set in the Texas Administrative Code for nurses. Dr. Hays opines that Respondent is capable of avoiding behaviors that constitute unprofessional conduct. Dr. Hays made no recommendations for treatment of any kind for Respondent.

13. On January 27, 2014, Respondent presented for a chemical dependency evaluation to Dr. Joyce M. Gayles. Dr. Gayles states that based on the results of Respondent's evaluation, it appears she does not have a chemical dependency impairment that would interfere with her ability to provide nursing care with skill and safety to patients. Dr. Gayles opines that it is expected that Respondent can continue to fulfill the responsibilities of a nurse and conduct herself in a professional manner according to the rules and guidelines of the Texas Board of Nursing. No specific recommendations are made based on this recommendation.
14. On January 31, 2014, Respondent presented for a chemical dependency evaluation to Dr. Matthew L. Ferrara. Dr. Ferrara states that based upon the evaluation, it appears that Respondent has some risk factors that suggest that she would have some difficulty conforming her behavior to the Nurse Practice Act. Dr. Ferrara states that Respondent should have her practice supervised and should be required to participate in a program of random drug/alcohol screens for a period of time for the purpose of ensuring that she is not engaging in a pattern of substance abuse behavior. Dr. Ferrara states that if Respondent wants to produce evidence to support her contention of innocence regarding the current Board matter, she could opt to take a polygraph exam in order to asked if she ever took prescription drugs from the facility.
15. Formal Charges were filed on October 9, 2014.
16. Formal Charges were mailed to Respondent on October 13, 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 217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).
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 624603, heretofore issued to WILLIE RUTH HARRIS-KALLON.
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](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. 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 twelve (12) month period RESPONDENT works as a nurse under the terms of this Order, random screens shall be performed once per month.

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 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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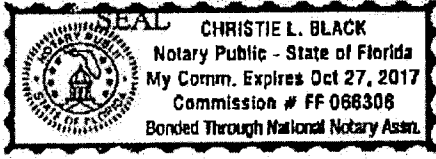
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RESPONDENT'S CERTIFICATION

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 1<sup>st</sup> day of July, 2015.  
Willie Ruth Harris-Kailon  
WILLIE RUTH HARRIS-KAILON, Respondent

Sworn to and subscribed before me this 1<sup>st</sup> day of July, 2015.



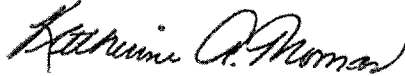
Christie L. Black  
Notary Public in and for the State of Florida

Approved as to form and substance.  
William E. Hopkins  
William E. Hopkins, Attorney for Respondent

Signed this 1<sup>st</sup> day of July, 2015.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 1<sup>st</sup> day of July, 2015, by WILLIE RUTH HARRIS-KALLON, Registered Nurse License Number 624603, and said Order is final.

Effective this 11<sup>th</sup> day of August, 2015.



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