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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Advanced Practice Registered	§	AGREED
Nurse License Number AP102522,	§	
Registered Nurse License Number 255989,	§	
& Vocational Nurse License Number 89407	§	
issued to MAUREEN K. VOULGARIS	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MAUREEN K. VOULGARIS, Advanced Practice Registered Nurse License Number AP102522, Registered Nurse License Number 255989, and Vocational Nurse License Number 89407, 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 May 2, 2016.

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. Respondent's license to practice as an advanced practice registered nurse in the State of Texas is in current status.
4. Respondent received the equivalent of a Certificate in Vocational Nursing from Texas Woman's University, Denton, Texas on September 23, 1980; received a Baccalaureate in Nursing from Texas Woman's University, Denton, Texas on May 1, 1981; and received a

Master's Degree in Nursing from The University of Texas Health Science Center Houston School of Nursing, Houston, Texas on December 16, 1988. Respondent was licensed to practice vocational nursing in the State of Texas on October 21, 1980; was licensed to practice professional nursing in the State of Texas on September 8, 1981; and was licensed to practice advanced practice registered nursing in the role of Women's Health Nurse Practitioner in the State of Texas on March 6, 1989.

5. Respondent's nursing employment history includes:

10/1980 - 8/1981	Staff LVN	Methodist Hospital Houston, Texas
9/1981 - 1984	Staff RN	St. Luke's Episcopal Hospital Houston, Texas
1983 - 1984	Staff Nurse	Southwest Memorial Hospital Houston, Texas
1985 - 1986	Staff Nurse	Woman's Hospital Baton Rouge, Louisiana
1986 - 1987	Staff RN	St. Luke's Episcopal Hospital Houston, Texas
1988	Unknown	
1989	Nursing Instructor	El Centro-Brookhaven College Dallas, Texas
3/1989 - 1990	Women's Health Nurse Practitioner (WHNP)	Planned Parenthood Dallas Texas
1989 - 1990	WHNP	Planned Parenthood Houston, Texas
1990 - 4/2014	WHNP	South Texas Medical Clinic Wharton, Texas
1996	Nursing Instructor	Wharton County Junior College Wharton, Texas
5/2014 - Present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed

as a Women's Health Nurse Practitioner (WHNP) at Memorial Hermann Medical Group, Wharton, Texas, and had been in that position for twenty-three (23) years.

7. On or about October 9, 2013 through April 7, 2014, while employed as a WHNP at Memorial Hermann Medical Group, Wharton, Texas, Respondent failed to timely notify Patients KD, MA, LA, AE, TC, VM, JM, LC, WA, and AR of the results of normal and abnormal pap smears, sexually transmitted disease testing, and biopsies. In addition, Respondent failed to institute appropriate plans of treatment for these patients. Respondent's conduct was likely to injure the patients from delayed treatment of abnormal conditions.
8. On or about October 9, 2013 through April 7, 2014, while employed as a WHNP at Memorial Hermann Medical Group, Wharton, Texas, Respondent failed to timely electronically sign numerous patients' visit notes and test results. Respondent's conduct resulted in incomplete medical records and exposed the patients unnecessarily to a risk of harm in that subsequent care givers would rely on her documentation to provide further care.
9. On or about November 10, 2013, through March 2, 2014, while employed as a WHNP at Memorial Hermann Medical Group, Wharton, Texas, Respondent failed to timely notify Patient NK that her pap test performed on October 30, 2013 was abnormal and required further testing. Patient NK was not notified until March 3, 2014 of her abnormal pap test results, and underwent a colposcopy with endometrial biopsies taken on March 19, 2014. Respondent's conduct was likely to injure the patient from delayed testing, diagnosis, and treatment of possible disease processes.
10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that she does not recall any specifics and would respond that any abnormal results were minute and repeat testing was usually ordered before referring to their primary care providers. Respondent relates her office tells clients they would receive results by one month, and if they do not receive results, to call. Respondent states that client NK had glandular cells on her pap smear which can occur when a woman is bleeding or spotting when a pap is performed. Respondent indicates that client NK had a history of a cervical loop electro surgical excision procedure in 2002, which in theory precludes her from developing cervical cancer, and her pap was normal with a high risk of Human Papillomavirus. Respondent states she explained this to her and apologized for being slightly late in reporting her results. Respondent adds that client NK was referred to a physician for a colposcopy and possible cervical biopsy.

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),(1)(M),(1)(O),(1)(P)&(4)(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 Advanced Practice Registered Nurse License Number AP102522, Registered Nurse License Number 255989, and Vocational Nurse License Number 89407, heretofore issued to MAUREEN K. VOULGARIS.
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 courses **within one (1) year of the effective date 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.
- 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 an

advanced practice registered nurse, providing direct patient care in a licensed healthcare setting, for a minimum of one hundred twenty eight (128) hours per quarter for six (6) quarters [eighteen (18) months] of employment. This requirement will not be satisfied until six (6) quarterly periods of employment as an advanced practice registered nurse have elapsed. Any quarterly period without continuous employment as an advanced practice registered nurse 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 advanced practice registered nurse (APRN) license will not apply to this period and will not count towards completion of this requirement. Further, Respondent may not work as a registered nurse (RN) or a vocational nurse (LVN) license, as applicable, while under the terms of this Order.

- A. **Notifying Present and Future Employers, Practice Sites and Credentialing Agencies:** RESPONDENT SHALL notify each present employer, practice site and/or credentialing agency in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer, practice site and/or credentialing agency in nursing within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers, practice sites and/or credentialing agencies in nursing and present a complete copy of this Order, including all attachments, if any, to each future employer, practice site and/or credentialing agency in nursing prior to accepting an offer of employment and/or assignment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer, practice site and/or credentialing agency in nursing to submit the Board's "Notification of Employment" form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer, practice site and/or credentialing agency in nursing to submit the Board's "Notification of Employment" form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.
- C. **Monitored Practice:** RESPONDENT'S advanced practice registered nursing

must be monitored by a Physician or an Advanced Practice Registered Nurse in the same advanced role and population focus area as Respondent who has been approved by the Board. RESPONDENT MUST, within ten (10) days of entry of this Order or within (10) days of employment as an advanced practice registered nurse, provide to the Board a list of three (3) Advanced Practice Registered Nurses and/or three (3) Physicians from which the Board shall select an approved monitor. For each Advanced Practice Registered Nurse and Physician, the list must include name, license number or social security number, educational background and professional employment history. Monitoring shall commence no later than thirty (30) days following the date of Respondent's receipt of the name of the approved monitor selected by the Board. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth in this Order do not reoccur. RESPONDENT SHALL meet with the monitor at least twice a month, at least one (1) hour duration each. Meetings may be longer and more frequent if the monitor determines necessary. Multiple employers are prohibited.

- D. Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each supervising Advanced Practice Registered Nurse or Physician 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 Advanced Practice Registered Nurse or Physician who supervises the RESPONDENT and these reports shall be submitted by the supervising Advanced Practice Registered Nurse or Physician to the office of the Board at the end of each three (3) month quarterly period for six (6) quarters [eighteen (18) months] 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.

RESPONDENT'S CERTIFICATION

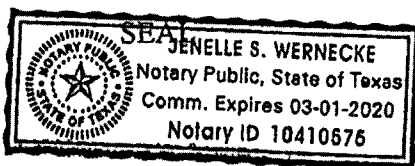
I understand that I have the right to legal counsel prior to signing this Agreed Order.

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 10 day of May, 2016.

Maureen K. Voulgaris
MAUREEN K. VOULGARIS, Respondent

Sworn to and subscribed before me this 10 day of May, 2016.



Jenelle S. Wernecke
Notary Public in and for the State of Texas

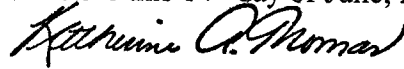
Approved as to form and substance.

Ann P. Watson
Ann P. Watson, Attorney for Respondent

Signed this 11th day of May, 2016.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10th day of May, 2016, by MAUREEN K. VOULGARIS, Advanced Practice Registered Nurse License Number AP102522, Registered Nurse License Number 255989, and Vocational Nurse License Number 89407, and said Order is final.

Effective this 14th day of June, 2016.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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