

Respondent's vocational nursing employment history continued:

08/75 - 08/88	LVN	St. Anthony Center Houston, Texas
12/87 - 03/90	LVN	Gulf Coast Medical Houston, Texas
03/90 - 08/93	LVN	Total Life Care Center Houston, Texas
08/93 - 07/15	LVN	Holly Hall Retirement Community Houston, Texas
08/15 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Holly Hall Retirement Community, Houston, Texas, and had been in that position for twenty-one (21) years and eleven (11) months.
7. On or about July 24, 2015, while employed with Holly Hall Retirement Community, Houston, Texas, Respondent failed to count narcotics with the off-going nurse at change of shift. Additionally, Respondent failed to sign the controlled drug record prior to taking possession of the medication cart keys. Respondent's conduct left medications unaccounted for and placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about July 28, 2015, through July 29, 2015, while employed with Holly Hall Retirement Community, Houston, Texas, Respondent signed out narcotics on the controlled drug record for patients, but failed to document the administration of the narcotics in the patients' medication administration records (MARs) and/or nurse's notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients, which could result in an overdose. Additionally, Respondent's conduct placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
9. On or about July 28, 2015, through July 29, 2015, while employed with Holly Hall Retirement Community, Houston, Texas, Respondent signed out narcotics on the controlled drug record for patients, 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, deceived the facility, and placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

10. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that while she was caring for her patients, a nurse from another unit placed the narcotic keys on her cart and stated that she had to leave. Respondent states that the oncoming nurse later came and took the keys for the nurse that left. Respondent admits she should have refused the keys until she was able to count with each nurse. Respondent also states she tried to document all medications on the MARs when given, and if not given, or "as needed" medications on the back of the MARs. Regarding the failure to waste, Respondent states there is no excuse other than no other licensed staff was available at the time of the waste.

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),(1)(D)&(2) 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 Vocational Nurse License Number 37160, heretofore issued to BOBBIE LOUISE ROBERTS.
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** and Respondent's license(s) shall be placed in **INACTIVE** status.

Should RESPONDENT decide in the future to reactivate his/her license(s) to practice nursing in the State of Texas, RESPONDENT SHALL be required to satisfy all then existing requirements for reactivation and RESPONDENT'S reactivated license(s) SHALL BE subject to, at

a minimum, the remedial education courses, work restrictions, supervised practice, and employer reporting which would have been requirements of this Order had Respondent not chosen to inactivate his/her nursing license(s).

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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. I further understand that, should I decide in the future to reactivate my license(s), I will be required to satisfy, at a minimum, the additional requirements that would have been part of this Order had the license(s) not been placed in inactive status, as stated herein, as well as all then existing requirements for reactivation.

Signed this 19th day of April, 2016.

Bobbie Louise Roberts

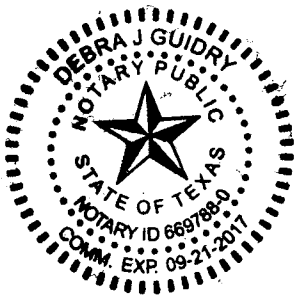
BOBBIE LOUISE ROBERTS, Respondent

Sworn to and subscribed before me this 19th day of April, 2016.

SEAL

Debra J. Guidry

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 19th day of April, 2016, by BOBBIE LOUISE ROBERTS, Vocational Nurse License Number 37160, and said Order is final.

Effective this 14th day of June, 2016.



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