



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.
William O. Thomas
Executive Director of the Board

IN THE MATTER OF PERMANENT	§	BEFORE THE TEXAS
REGISTERED NURSE	§	
LICENSE NUMBER 657680	§	BOARD OF NURSING
ISSUED TO	§	
BARBARA VERNON LEON,	§	ELIGIBILITY AND
RESPONDENT	§	
	§	DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: BARBARA VERNON LEON
14935 MEDUSA
SELMA, TX 78154

During open meeting held in Austin, Texas, on Tuesday, August 9, 2016, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 657680, previously issued to BARBARA VERNON LEON, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 9th day of August, 2016.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed June 21, 2016.

d17r(RN)(2016.05.11)

Re: Permanent Registered Nurse License Number 657680
Issued to BARBARA VERNON LEON
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of August, 2016, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

BARBARA VERNON LEON
14935 MEDUSA
SELMA, TX 78154

Via USPS First Class Mail

BARBARA VERNON LEON
14935 MEDUSA
SELMA, TX 78154

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of
Permanent Registered Nurse
License Number 657680
Issued to BARBARA VERNON LEON,
Respondent

§ BEFORE THE TEXAS
§
§
§
§ BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, BARBARA VERNON LEON, is a Registered Nurse holding License Number 657680, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about May 10, 2014, and May 14, 2014, while employed as a Registered Nurse with Northeast Methodist Hospital, Live Oak, Texas, Respondent withdrew Hydromorphone from the medication dispensing system for a patient, but failed to follow the facility's policy and procedures for wastage of the unused portions of the medication, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	Waste	Physician's Order	MAR	Nurses' Notes
5/10/14	18:16	V458325745	Hydromorphone 2mg/1ml (1)	None	Hydromorphone Inj 1mg IV ONCE	Hydromorphone 1mg @ 18:17	Pre-Med N
5/14/14	07:23	V458325745	Hydromorphone 2mg/1ml (1)	None	None	None	None

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) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(1)(B), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

CHARGE II.

On or about May 10, 2014, and May 14, 2014, while employed as a Registered Nurse with Northeast Methodist Hospital, Live Oak, Texas, Respondent misappropriated two (2) vials of Hydromorphone 2mg/1ml from Patient Medical Record Number V458325745, or failed to take precautions to prevent

such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(G),(8),(10)(E)&(11)(B).

CHARGE III.

On or about May 14, 2014, while employed as a Registered Nurse with Northeast Methodist Hospital, Live Oak, Texas, Respondent withdrew Hydromorphone from the medication dispensing system for a patient without a valid physicians' order, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	Physician's Order
5/14/14	07:23	V458325745	Hydromorphone 2mg/1ml (1)	None

Respondent's conduct was likely to injure the patients, in that the administration of the medication 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) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(3), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(11)(B).

CHARGE IV.

On or about May 14, 2014, while employed as a Registered Nurse with Northeast Methodist Hospital, Live Oak, Texas, Respondent withdrew Hydromorphone from the medication dispensing system for a patient, but failed to document, and/or completely and accurately document, the administration of the medication in the patient's Medication Administration Records and/or nurses' notes, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	MAR	Nurses' Notes
5/14/14	07:23	V458325745	Hydromorphone 2mg/1ml (1)	None	None

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. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE § 217.11(1)(A),(1)(B),(1)(C)&(1)(D), and 22 TEX. ADMIN. CODE § 217.12(1)(A),(1)(B),(1)(C),(4)&(11)(B).

CHARGE V.

On or about June 17, 2014, while employed as a Registered Nurse with Northeast Methodist Hospital, Live Oak, Texas, Respondent engaged in the intemperate use of Hydromorphone and Morphine, in that she produced a specimen for a for-cause drug screen which resulted positive for Hydromorphone and Morphine. Unlawful possession of Hydromorphone and Morphine is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health & Safety Code. The use of Hydromorphone and Morphine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms, or changes in a patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing a patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE § 217.12(4),(5),(10)(A),(10)(D)&(11)(B).

CHARGE VI.

On or about August 20, 2015, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent engaged in the intemperate use of Codeine, in that she produced a specimen for a random drug screen which resulted positive for Codeine. Unlawful possession of Codeine is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health & Safety Code. The use of Codeine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms, or changes in a patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing a patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE § 217.12(4),(5),(10)(A),(10)(D)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent

the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

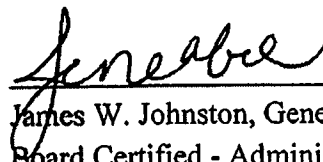
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct; and related to Behavior Involving Fraud, Theft, and Deception, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

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NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

Filed this 21st day of June, 2016.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Jessica Lance, Assistant General Counsel
State Bar No. 24091434

John F. Legris, Assistant General Counsel
State Bar No. 00785533

Jacqueline A. Strashun, Assistant General Counsel
State Bar No. 19358600

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701

P: (512) 305-8657

F: (512) 305-8101 or (512)305-7401