



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
Registered Nurse License Number 595210	§	
& Vocational Nurse License Number 102719	§	
issued to MARY LOUISE HOWELL	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARY LOUISE HOWELL, Registered Nurse License Number 595210 and Vocational Nurse License Number 102719, 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), 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 August 1, 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 inactive status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Brazosport Community College, Lake Jackson, Texas, on August 18, 1983; and received an Associate Degree in Nursing from Alvin Community College, Alvin, Texas, on May 1, 1993. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983; and was licensed to practice professional nursing in the State of Texas on September 22, 1993.

5. Respondent's nursing employment history includes:

1983-1985	Licensed Vocational Nurse	Cross Healthcare Unknown
1985-1990	Licensed Vocational Nurse	Lake Jackson Nursing Home Lake Jackson, Texas
12/90-11/12	Licensed Vocational Nurse/ Registered Nurse	Plantation Health Country Village Angleton, Texas
12/12	Unknown	
01/13-08/14	Registered Nurse	Laurel Court Alvin, Texas
09/14-present	Not employed in Nursing	

6. At the time of the incident, Respondent was employed as a Registered Nurse with Laurel Court, Alvin, Texas, and had been in that position for one (1) year and seven (7) months.
7. On or about August 9, 2014, while employed as a Registered Nurse with Laurel Court, Alvin, Texas, Respondent failed to secure medications in that she was observed to have a card of Ativan belonging to Resident C.L. in her personal bag. Respondent's conduct was likely to defraud the facility and patients, thereof, of the cost of the medications, and is a violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. In response to Finding of Fact Number Seven (7), Respondent states she accidentally removed the card of Ativan along with an empty one that she was going to pull the label off of and throw away. Respondent states she then put the cards under the bag she keeps her supplies in. Respondent claims she immediately returned the card of Ativan to the cart.
9. Formal Charges were filed on September 18, 2015.
10. Formal Charges were mailed to Respondent on September 23, 2015.

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 §217.12(1)(A),(1)(B),(4),(6)(G),(8),(10)(E)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 595210 and Vocational Nurse License Number 102719, heretofore issued to MARY LOUISE HOWELL, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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 **LIMITED LICENSE WITH STIPULATIONS** in accordance with the terms of this Order.

- A. While under the terms of this Order, **RESPONDENT SHALL NOT provide direct patient care.** For the purposes of this Order, direct patient care involves a personal relationship between the nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.
- B. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- C. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. 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 entry of this Order:**

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.

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. RESTORATION OF PATIENT CARE PRIVILEGE AND/OR UNENCUMBERED LICENSE(S)

SHOULD RESPONDENT desire to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before re-issuance of an unencumbered license, which, at a minimum, shall include the remedial education courses, work restrictions, supervised practice, and/or employer reporting which would have been requirements of this Order had the license(s) not been placed in limited status.

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.

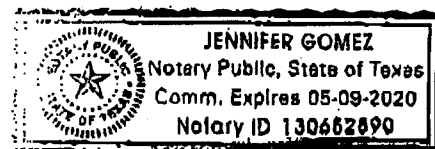
Signed this 3 day of August, 2016.

Mary Louise Howell
MARY LOUISE HOWELL, Respondent

Sworn to and subscribed before me this 3 day of August, 2016.

SEAL

[Signature]
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 3 day of August, 2016, by MARY LOUISE HOWELL, Registered Nurse License Number 595210 and Vocational Nurse License Number 102719, and said Order is final.

Effective this 13 day of September, 2016.



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