

# BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Vocational Nurse License Number 161855	§	
issued to DONNA CHESTINE LOWRY	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DONNA CHESTINE LOWRY, Vocational Nurse License Number 161855, 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 January 24, 2017.

## 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 current status.
4. Respondent received a Certificate in Vocational Nursing from McLennan Community College, Waco, Texas, on December 20, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on March 5, 1997.
5. Respondent's nursing employment history includes:

03/97 to 06/05	Unknown
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Respondent's nursing employment history continued:

10/04 to present	LVN	Angel Medical Professionals Waco, Texas
2004 to present	Case Manager/Field Nurse	Lake Way Home Health Temple, Texas
03/07 to 10/10	Campus Nurse	Hutto ISD Hutto, Texas
11/10 to 08/12	Campus Nurse	Georgetown ISD Georgetown, Texas
09/14 to 01/16	Charge Nurse	Coryell Memorial Healthcare Gatesville, Texas
01/16 to present	Charge Nurse	Wellington Place Rehabilitation Temple, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Coryell Memorial Healthcare - The Meadows, Gatesville, Texas, and had been in that position for one (1) year and four (4) months.
7. On or about January 1, 2016, while employed as a Staff Nurse with The Meadows, Gatesville, Texas, Respondent inappropriately infused Morphine Sulfate Oral Solution with food coloring dye and administered it to Resident Number 1334. Respondent's conduct exposed the patient unnecessarily to a risk of harm from pharmaceutical interactions.
8. On or about January 1, 2016, while employed as a Staff Nurse with The Meadows, Gatesville, Texas, Respondent failed to secure Morphine Sulfate Oral Solution in the double locked medication cart as required. Respondent's conduct failed to take precautions to prevent the loss of medications, and placed the facility in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act)'.
9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she added the food coloring to make it easier to visualize the measurement when doing the narcotic count. Respondent further states she single locked the morphine in her cart for convenience because the resident was frequently receiving morphine due his hospice condition.

## 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 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(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 161855, heretofore issued to DONNA CHESTINE LOWRY.
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 **REMEDIAL EDUCATION** 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. 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. 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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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 19 day of January, 2017.

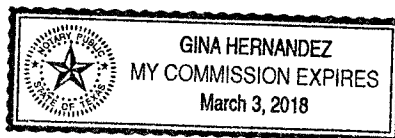
Donna Chestine Lowry  
DONNA CHESTINE LOWRY, Respondent

Sworn to and subscribed before me this 19 day of January, 2017.

SEAL

Gina Hernandez

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 19th day of January, 2017, by DONNA CHESTINE LOWRY, Vocational Nurse License Number 161855, and said Order is final.

Effective this 27th day of January, 2017.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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