



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

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In the Matter of § AGREED  
Registered Nurse License Number 548233 §  
& Vocational Nurse License Number 108751 §  
issued to TAMBI E. PHARAYRA § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TAMBI E. PHARAYRA, Registered Nurse License Number 548233 and Vocational Nurse License Number 108751, 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 10, 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 delinquent 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 Navarro College at Corsicana, Corsicana, Texas, on August 28, 1984, and received a Baccalaureate Degree in Nursing from The University of Texas, Tyler, Texas, in 1988. Respondent was licensed to practice vocational nursing in the State of Texas on December 17, 1984, and was licensed to practice professional nursing in the State of Texas on September 1, 1988.

5. Respondent's nursing employment history includes:

1984-1988	Licensed Vocational Nurse	Beverly Enterprises Jacksonville, Texas
1988-1991	RN Supervisor/ MDS Coordinator	Beverly Enterprises Jacksonville, Texas
1992-2000	Director of Nursing	Beverly Enterprises Jacksonville, Texas
2002-2010	Registered Nurse	North West Memorial Hermann Hospital Houston, Texas
2010- Unknown	Registered Nurse	St. Luke's Hospital Houston, Texas
12/2013-4/2016	Registered Nurse	Harris Health System LBJ Pavilion Houston, Texas
5/2016-Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Harris Health System LBJ Pavilion, Houston, Texas, and had been in that position for one (1) year and eleven (11) months.
7. On or about November 20, 2015, through November 21, 2015, while employed as a Staff Nurse with Harris Health System LBJ Pavilion, Houston, Texas, Respondent failed to adequately assess the negative-pressure wound therapy (NPWT) wound vacuum device for Patient Number 07652990 and ensure that the device was operating properly and turned on throughout his shift. Subsequently, the physician discovered that the device had been turned off all night. Respondent's conduct exposed the patient to a risk of harm from inadequate wound care treatment.
8. On or about November 28, 2015, while employed as a Staff Nurse with Harris Health System LBJ Pavilion, Houston, Texas, Respondent failed to assess and/or document the NIH stroke scale for Patient Number 076563993, who was admitted to the hospital with left-sided weakness. Respondent's conduct resulted in an incomplete medical record and exposed the patient to a risk of harm in that subsequent care givers would not have accurate and complete information on which to base their care decisions.

9. On or about February 5, 2016, while employed as a Staff Nurse with Harris Health System LBJ Pavilion, Houston, Texas, Respondent failed to ensure that PlasmaLyte was infusing at the correct rate for Patient Number 035030816. The oncoming shift discovered that the bag of medication and fluids that Respondent started four (4) hours ago was empty, though it should have been running for ten (10) hours using the ordered rate. Respondent's conduct exposed the patient to a risk of harm in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment.
10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that there was multi-layered supervision and rounding by other nurses and charge nurses, and they would have identified any issue during his shifts. Respondent states he was counseled about the allegations and did an extensive study with a presentation on wound vac systems and documentation. Regarding Patient Number 07652990, Respondent states that the wound vac system was working fine when he reported to the day shift nurse. Regarding Patient Number 076563993, Respondent states that he assessed the patient but was not aware that there was a stroke scale to be filled in the Epic software. Finally, regarding Patient Number 035030816, Respondent states that he did not change the rate of the medication above what it should have been, though the patient was seen more than once manipulating the IV machine, which he reported to the charge nurse on the floor.

#### 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),(1)(M)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 548233 and Vocational Nurse License Number 108751, heretofore issued to TAMBI E. PHARAYRA.
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 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. **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](http://www.bon.texas.gov/compliance).*

#### IV. **EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment 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 registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify

each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.

- B. Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- D. Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer 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 nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] 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.

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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 14 day of April, 2017.

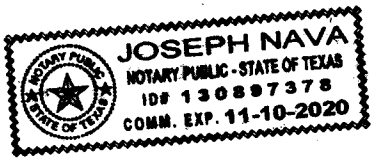
TAMBI E. PHARAYRA, Respondent

Sworn to and subscribed before me this 14 day of April, 2017.

SEAL

Joseph Nava

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 14th day of April, 2017, by TAMBIE. PHARAYRA, Registered Nurse License Number 548233 and Vocational Nurse License Number 108751, and said Order is final.

Effective this 9th day of May, 2017.

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

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