



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Registered Nurse License Number 624060	§	
issued to DIANE MARY STEPHENSON	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DIANE MARY STEPHENSON, Registered Nurse License Number 624060, 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 November 21, 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 professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Shelby State Community College, Memphis, Tennessee, on April 26, 1994. Respondent was licensed to practice professional nursing in the State of Texas on December 7, 1995.
5. Respondent's nursing employment history includes:

12/1995 - 1998	Staff Nurse	Regional Medical Center Houston, Texas
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Respondent's nursing employment history continued:

1/1999 - 3/2008      Unknown

4/2008 - 3/2016      Staff Nurse      Memorial Hermann Memorial City Medical Center  
Houston, Texas

3/2016 - Present      Unknown

6. On or about March 9, 1999, Respondent was issued the sanction of WARNING WITH STIPULATIONS through an Agreed Order by the Board. A copy of the Agreed Order, including the Findings of Fact, Conclusions of Law, and Order dated March 9, 1999, is attached and incorporated herein by reference as part of this order.
7. At the time of the incident in Finding of Fact Number Eight (8), Respondent was employed as a Staff Nurse in the Medical Intensive Care Unit (MICU) of Memorial Hermann Memorial City Medical Center, Houston, Texas, and had been in that position for seven (7) years and ten (10) months.
8. On or about February 24, 2016, while employed as a Staff Nurse in the Medical Intensive Care Unit (MICU) of Memorial Hermann Memorial City Medical Center, Houston, Texas, Respondent failed to administer an insulin intravenous (IV) drip infusion to Patient Medical Record Number 40527845 as ordered titrated over sixteen (16) to seventeen (17) hours. Instead, Respondent administered it over thirty (30) minutes. A patient's blood sugar can quickly decrease when insulin is infused quickly, and emergency Glucagon was administered to prevent dangerously low insulin levels. Respondent's conduct was likely to injure the patient from administering IV medications at a rate in excess of the physician's order which could result in the patient suffering from adverse reactions to drops in blood glucose levels, including seizure, loss of consciousness, and possible demise.
9. On or about February 24, 2016, while employed as a Staff Nurse in the MICU of Memorial Hermann Memorial City Medical Center, Houston, Texas, Respondent incorrectly administered insulin to Patient Medical Record Number 40527845, in that she failed to scan the insulin bag or the patient's wristband prior to administering an insulin IV drip infusion; failed to utilize the Guardrails program, an intravenous (IV) pump fail-safe process that will not infuse a medication if the wrong infusion rate is entered; failed to correctly set the infusion pump rate setting, or label the infusion as insulin; and failed to have a second nurse verify the insulin drip infusion rate that is necessary for high risk medications. Respondent's conduct was likely to injure the patient from failure to follow safe medication administration processes.
10. In response to the incidents in Findings of Fact Numbers Eight (8) and Nine (9), Respondent states that she came into a short staff position at the request of the Charge Nurse and



followed hospital protocol. Respondent indicates that she made no adjustments to the insulin drip infusion rate that was already set in the ER. Respondent relates that the patient's accuchecks were done hourly, the patient never exhibited adverse glucose levels, there was no negative patient outcome, and she provided proper care to the patient. Respondent adds that she was released from duty about three (3) hours later. Respondent explains that the patient's insulin was titrated for sixteen (16) to seventeen (17) hours, and other nurses who cared for the patient may have caused some insulin titration changes. Respondent states that the patient arrived from the ER already on insulin and the IV bag and patient's ID were scanned, and the IV bag was confirmed as insulin.

11. Formal Charges were filed on November 2, 2016.
12. Formal Charges were mailed to Respondent on November 3, 2016.

### 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)(M),(1)(P)&(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 624060, heretofore issued to DIANE MARY STEPHENSON, 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, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 624060, previously issued to DIANE



MARY STEPHENSON, to practice nursing in Texas is hereby **SUSPENDED** with the suspension **STAYED** and Respondent is hereby placed on **PROBATION**, in accordance with the terms of this Order, for a minimum of two (2) years **AND** until Respondent fulfills the requirements 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 medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- 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 eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) 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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **Indirect Supervision:** For the remainder of the stipulation/probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a



nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- E. 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 eight (8) quarters [two (2) years] of employment as a nurse.

**V. FURTHER COMPLAINTS**

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

**VI. 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.

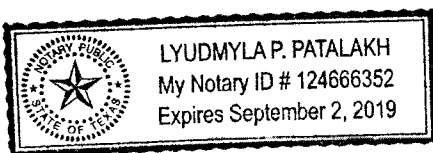
Signed this 22 day of June, 2017.

*Diane M. Stephenson*  
DIANE MARY STEPHENSON, Respondent  
*Diane Roelke Stephenson*

Sworn to and subscribed before me this 22 day of June, 2017.

SEAL

*Lyudmyla P. Patalakh*  
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 22nd day of June, 2017, by DIANE MARY STEPHENSON, Registered Nurse License Number 624060, and said Order is final.

Effective this 8<sup>th</sup> day of August, 2017.

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

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



BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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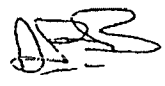
In the Matter of Permanent Certificate                   §  
Number 624060 issued to                                   §                   AGREED ORDER  
DIANE MARY (ROELKE) STEPHENSON                   §

An investigation by the Board produced evidence indicating that DIANE MARY (ROELKE) STEPHENSON, hereinafter referred to as Respondent, license number 624060, may have violated Article 4525(b)(9), Revised Civil Statutes of Texas, as amended.

An informal conference was held on November 3, 1998, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Respondent participated telephonically. Respondent was represented by Daniel Barton, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; J. Kent Black, General Counsel; Anthony L. Diggs, MSCJ, Director of Investigations; and Jeanne E. Jacobson, BSN, RN, Investigator.

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.
2. Respondent waived notice and hearing, and consented to the entry of this Order.
3. Respondent's license to practice professional nursing in Texas is ~~inactive~~ active. 
4. Respondent received an Associate of Applied Science Degree in Nursing from Shelby State Community College, Memphis, Tennessee, in May 1994. She was licensed as a Registered Nurse in the State of Texas on December 7, 1995.



5. Respondent's professional employment history includes:

May 1994-1996

Staff Nurse  
Trauma Intensive Care Unit (ICU)  
Regional Medical Center at Memphis  
Memphis, Tennessee

February 5, 1996 -June 1998

Staff Nurse  
Critical Care Unit/ICU  
Memorial City Medical Center  
Houston, Texas

June 1998-Present

Unemployed in nursing

6. At the time of the incidents, Respondent was employed as a Staff Nurse in the Coronary Care Unit with Memorial City Medical Center, Houston, Texas, and had been in this position for one (1) month.
7. On or about March 5, 1996, while employed as a Registered Nurse with Memorial City Medical Center, Houston, Texas, Respondent withdrew Morphine 40 milligrams (mg) for Patient # 428091 over a four (4) hour period from the Pyxis system but only administered 30 mg per the physician's order. Respondent's failure to document the wastage correctly in the system was likely to deceive the facility by creating inaccurate records.
8. On or about March 5, 1996, while employed with the aforementioned facility, Respondent documented giving Tylenol by mouth (po) to a patient, however, on the Medication Administration Record (MAR) she documented the dose as being given rectally. Respondent's failure to correctly document the route of administration of Tylenol was likely to deceive other medical personnel from an inaccurate medical record.
9. On or about March 6, 1996, while employed with the aforementioned facility, Respondent administered Haldol 90 mg to a patient over a four (4) hour period. There was no written physician's order for this dose and frequency. Respondent's failure to document the physician's order was likely to deceive other medical personnel by not having an accurate and complete medical record.
10. On or about March 10, 1996, while employed with the aforementioned facility, Respondent failed to follow the facility's policy and procedure for wastage of medications when she removed Demerol 50 mg from the Pyxis system but documented in the patient's MAR that Demerol 25 mg was administered to the patient. The remaining Demerol 25 mg was not documented as wasted. Respondent's failure to document the wastage of Demerol was likely to deceive the facility by creating inaccurate records.



11. On or about March 10, 1996, while employed with the aforementioned facility, Respondent removed two (2) vials of Vasotec 2.5 mg from the Pyxis system at 12:00 midnight and two (2) more vials at 6:00 a.m., but documented on the patient's MAR that Vasotec 2.5 mg was administered each time. Respondent's failure to correctly reconcile the amount of Vasotec withdrawn with the amount administered was likely to deceive the facility by creating inaccurate records.
12. Respondent completed an extended orientation period following the aforementioned incidents, and worked with the facility educator on medication administration during this time. In addition, Respondent completed a six (6) hour continuing education classroom course on medication administration and pharmacology in September 1998.
13. Respondent remained employed at the aforementioned facility and received a commendable evaluation in September, 1997. In addition, Respondent's supervisor verified that she had no additional medication or practice errors after the initial incidents, and that she felt Respondent learned from the previous mistakes.

#### CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Article 4525(b)(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(5)&(14).
4. The evidence received is sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 624060, heretofore issued to DIANE MARY (ROELKE) STEPHENSON.

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### AGREED SANCTIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a Warning with Stipulations, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and this Order.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to DIANE MARY (ROELKE) STEPHENSON, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license to practice professional nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

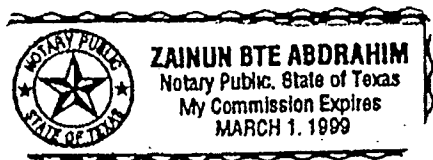
I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Agreed Sanctions, and any conditions of this Order to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me.

Signed this 28<sup>th</sup> day of January, 1999.

Diane Mary (Roelke) Stephenson  
DIANE MARY (ROELKE) STEPHENSON, Respondent

Sworn to and subscribed before me this 28 day of January, 1999.

SEAL



Zainun Bte Abd Rahim  
Notary Public in and for the State of TEXAS

Approved as to form and substance.

Daniel Barton  
Daniel Barton, Attorney for Respondent

Signed this 2 day of Feb, 1999

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 28<sup>th</sup> day of January, 19 99, by DIANE MARY (ROELKE) STEPHENSON, license number 624060, and said Order is final.

Effective this 9<sup>th</sup> day of March, 19 99.



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