



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.
April Marie O'Rourke
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 551015 issued to § **AGREED ORDER**
CAROLYN BELLEN BERNARDO §

An investigation by the Board produced evidence indicating that CAROLYN BELLEN BERNARDO, hereinafter referred to as Respondent, may have violated Article 4525(b)(1)(9), Revised Civil Statutes of Texas, as amended.

An informal conference was held on June 24, 1997, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Respondent appeared in person. Respondent was represented by Ace Pickens, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; William Hopkins, General Counsel; Anthony L. Diggs, Director of Investigations; and Cynthia A. Smith, 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 is currently licensed to practice professional nursing in Texas.
4. Respondent received a Bachelor of Science in Nursing from University of St. Thomas, Espana, Manila in October, 1986.

5. Respondent's professional employment history includes:

June 1987- November 1988 SICU Staff Nurse
Phil. Heart Center
Diliman, Q.C.

November 1988 - May 1995 Staff RN
CVRR
St. Luke's Hospital
Houston, Texas

6. At the time of the incident, Respondent was employed as a Staff Nurse with St. Luke's Hospital, Houston, Texas and had been in this position for eight (8) years and seven (7) months.
7. Respondent, on or about May 22, 1995, while employed with St. Luke's Hospital, Houston, Texas, signed out six (6) Tylenol #3 tablets from the unit Pyxis system for patient AD without a physician's order. Patient AD was being discharged and there were no physician orders for discharge medications. Respondent gave the six (6) non-labeled Tylenol #3 to Patient AD's husband to give to Patient AD for her use at home. Respondent committed an offense of HSC §481.113 (Texas Drug Laws) because she knowingly delivered a unauthorized controlled substance to patient AD. Respondent's unauthorized delivery of the controlled substance resulted in St. Luke's Hospital being in violation HSC §481.074 which prohibits the dispensing of controlled substances without a physician's order.

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 violation of Article 4525(b)(1)(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(1)&(3).
4. The evidence received is sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 551015, heretofore issued to CAROLYN BELLEN BERNARDO.

AGREED SANCTIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of Remedial Education, 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 CAROLYN BELLEN BERNARDO, 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 should 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.

(3) RESPONDENT SHALL notify each present employer in professional nursing of this order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this order to each present employer within five (5) days of notification of this order. RESPONDENT SHALL notify all potential employers in professional nursing of this order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this order to each potential employer prior to employment.

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.

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RESPONDENT'S CERTIFICATION

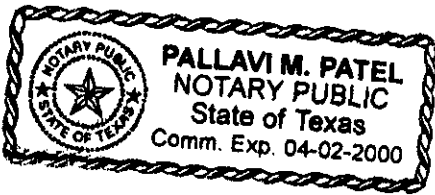
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this order. I neither admit nor deny the violation alleged. By my signature on this order, I agree to the Findings of Fact, Conclusions of Law, Agreed Sanctions, and any stipulation of this order to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

Signed this 30 day of July, 19 97

Carolyn Belen Bernardo
CAROLYN BELLEN BERNARDO

Sworn to and subscribed before me this 30 day of July, 19 97.

SEAL



Pallavi M Patel

Notary Public in and for the State of Texas

Approved as to form and substance.

Ace Pickens
Ace Pickens, Attorney for Respondent

Signed this 1 day of Aug, 19 97

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 30th day of July, 1997, by CAROLYN BELLEN BERNARDO, license number 551015, and said order is final.

Effective this 18th day of September, 1997.



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