



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
Vocational Nurse License Number 308039
issued to TAMMIE BELL MOODY

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TAMMIE BELL MOODY, Vocational Nurse License Number 308039, 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 Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on August 7, 2019.

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 Agreed 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 Galveston College, Galveston, Texas, on May 11, 2012. Respondent was licensed to practice vocational nursing in the State of Texas on July 5, 2012.
5. Respondent's nursing employment history includes:

7/2012 – 10/2014 Unknown

Respondent's nursing employment history continued:

11/2014 – 12/2016	School Nurse	Galveston Independent School District Galveston, Texas
1/2017 – 7/2017	Unknown	
8/2017 – 2/2019	Licensed Vocational Nurse	Bayou Pines Care Center La Marque, Texas
2/2019 - Unknown	Licensed Vocational Nurse	The Rio at Mainland Center Texas City, Texas
4/2019 – 5/2019	Licensed Vocational Nurse	Gulf Healthcare Center Galveston, Texas
6/2019 – 7/2019	Unknown	
8/2019 - Present	Licensed Vocational Nurse	Ashton Park Texas City, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Gulf Healthcare Center, Galveston, Texas, and had been in that position for one (1) week and one (1) day.
7. On or about April 30, 2019, while employed as a Licensed Vocational Nurse at Gulf Health Care Center, Galveston, Texas, and caring for Patient M.W. whose blood sugar was 594 at 20:45, Respondent received an order from the on-call physician to administer 5 units of Novolog now to the patient, recheck the patient's blood sugar in one hour, and administer another 5 units of Novolog if the patient's blood sugar was still over 300. Mistaking a thirty-unit insulin syringe for a 3-unit insulin syringe, Respondent incorrectly administered 35 units of Novolog, instead of the ordered 5 units, to Patient M.W. After one hour, the patient's blood sugar was 453 and Respondent repeated the error by administering another 35 units of Novolog. Subsequently, on or about May 1, 2019, the blood sugar for Patient M.W. was 21 at 05:30, and the patient was transferred to the emergency department. Respondent's conduct was likely to injure the patient from the administration of excessive doses of insulin.
8. On or about April 30, 2019, while employed as a Licensed Vocational Nurse at Gulf Health Care Center, Galveston, Texas, and caring for Patient I.R., whose blood sugar was 457 at 21:00, Respondent mistook a thirty-unit insulin syringe for a 3-unit insulin syringe, and incorrectly administered 140 units of Humulin N to the patient, instead

of 14 units of Humulin N, as ordered. Subsequently, on or about May 1, 2019, the blood sugar for Patient I.R. was 34 at 05:20. Respondent's conduct was likely to injure the patient from the administration of excessive doses of insulin.

9. In response to the incidents in Finding of Fact Number Seven (7) and Finding of Fact Number Eight (8), Respondent states that she went to her cart to draw and then administer the insulin in response to the order she received. Respondent states that there was a new bag of syringes that was different from what was usually there. Respondent states she attempted to open one syringe, which had a stopper covering the plunger. Respondent states that she had a hard time opening it, and when it did open the plunger came out with the stopper. Respondent states she noticed the plunger was as thin as a toothpick. Respondent states she disposed of that syringe and retrieved another, which also opened with difficulty. Respondent states that she then looked at the top number, which had what appeared to be a 1.0, and thought to herself that it was strange and that it was a 3-unit syringe. Respondent states that she had never seen but the normal 100-unit syringes. Respondent states that she then noted the bag said petite across it and thought to herself that it must be a pediatric syringe purchased in error. Respondent states she did not realize the error until the following day when she returned to work and had time to ask the Director of Nursing why they had purchased 3-unit needles. Respondent states that about twenty minutes later, the Assistant Director of Nursing came to her and asked for the syringes in question. Respondent states she provided the syringes, received the usual 100-unit syringes for her use, and proceeded with her work. Respondent states that she later met with the Director of Nursing who told her that they were 30-unit syringes. Respondent states that she was surprised and showed the Director of Nursing why she thought they were 3-unit syringes. Respondent states that this was an error and she never meant to hurt anyone.

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)(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 Vocational Nurse License Number 308039, heretofore issued to TAMMIE BELL MOODY.
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 **REPRIMAND 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. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state.

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 Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order.

III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. 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 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 must 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.*

V. **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. 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 of 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 individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual 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.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, 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 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 this Order is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 2 day of October, 2019.

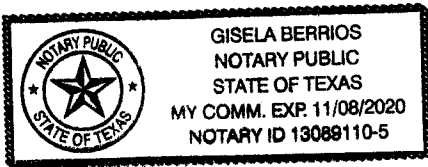
Tammie Bell Moody
TAMMIE BELL MOODY, RESPONDENT

Sworn to and subscribed before me this 2nd day of October, 2019.

SEAL

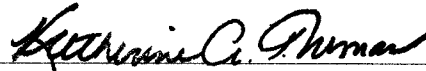
Gisela Berrios

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 2nd day of October, 2019, by TAMMIE BELL MOODY, Vocational Nurse License Number 308039, and said Agreed Order is final.

Effective this 12th day of November, 2019.



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