



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.
Patricia A. Johnson
Executive Director of the Board

**In the Matter of
Permanent Registered Nurse
License Number 711850
Issued to MARSHA DEADMON ANDERSON,
Respondent**

§ **BEFORE THE TEXAS**
§ **BOARD OF NURSING**
§ **ELIGIBILITY AND**
DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: Marsha Anderson
1420 W Main St., Apt 1308
Lewisville, TX 75067

During open meeting held in Austin, Texas, on December 10, 2019, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN. CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 711850, previously issued to MARSHA DEADMON ANDERSON to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 10th day of December, 2019

TEXAS BOARD OF NURSING

BY: 

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed October 8, 2019

d17r(2019.11.20)

Re: Permanent Registered Nurse License Number 711850
Issued to MARSHA DEADMON ANDERSON
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

ms

I hereby certify that on the 10th day of December, 2019, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested,
Copy Via USPS First Class Mail

Marsha Anderson
1420 W Main St., Apt 1308
Lewisville, TX 75067

BY: _____

Katherine A. Thomas

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of	§
Permanent Registered Nurse	§ BEFORE THE TEXAS
License Number 711850	§
Issued to MARSHA DEADMON	§
ANDERSON,	§ BOARD OF NURSING
Respondent	

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MARSHA DEADMON ANDERSON, is a Registered Nurse holding license number 711850 which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about January 16, 2019, while employed as a Registered Nurse with North Central Surgical Center, Dallas, Texas, Respondent withdrew Oxycodone, Diazepam and Hydromorphone from the medication dispensing system for patients, but failed to accurately and/or completely and accurately document the administration of the medications in the patients' Medication Administration Records as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	MAR
1/16/19	2114	134467	Oxycodone/APAP 5/325 tab (2)	None
1/17/19	0304	134467	Oxycodone/APAP 5/325 tab (1)	2 tabs @ 0309
1/16/19	2117	135172	Diazepam 5mg tab (1)	None
1/16/19	2117	135172	Hydromorphone 2mg inj (1)	None

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) & (13), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.11(1)(A),(1)(B),(1)(C)&(1)(D), and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(1)(C),(4)&(11)(B).

CHARGE II.

On or about January 16, 2019, while employed as a Registered Nurse with North Central Surgical Center, Dallas, Texas, Respondent withdrew Oxycodone, Diazepam and Hydromorphone from the medication dispensing system for patients, but failed to follow the facility's policy and procedures for wastage of the unused portions of the medications as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	Waste	Physician's Order	MAR
1/16/19	2114	134467	Oxycodone/APAP 5/325 tab (2)	None	Oxycodone/APAP 5/325 2 tabs Q4H PRN	None
1/16/19	2117	135172	Diazepam 5mg tab (1)	None	Diazepam 5mg 1 tab Q6H PRN	None
1/16/19	2117	135172	Hydromorphone 2mg inj (1)	1.5mg @0124	Hydromorphone .5mg IV Q3H PRN	None

Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) & (13), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.11(1)(A)&(1)(B), and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

CHARGE III.

On or about January 16, 2019, while employed as a Registered Nurse with North Central Surgical Center, Dallas, Texas, Respondent misappropriated two (2) tabs of Oxycodone 5/325 from Patient 134467, and one (1) tab of Diazepam 5mg and one (1) vial of Hydromorphone of 2mg from Patient 135172, belonging to the facility or patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(4),(6)(G),(8),(10)(E)&(11)(B).

CHARGE IV.

On or about January 16, 2019, while employed as a Registered Nurse with North Central Surgical Center, Dallas, Texas, Respondent lacked fitness to practice professional nursing in that she was observed exhibiting an unsteady gait and was unable to log into a computer and give a cohesive report to the oncoming nursing. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected

his/her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) & (12), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(4)&(5).

CHARGE V.

On or about January 17, 2019, while employed as a Registered Nurse with North Central Surgical Center, Dallas, Texas, Respondent engaged in the intemperate and/or unlawful use of amphetamines, methamphetamines, benzodiazepines and cocaine in that she submitted a specimen for cause which resulted positive for amphetamines, methamphetamines, benzodiazepines and cocaine. Unlawful possession of amphetamines, methamphetamines, benzodiazepines and cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of amphetamines, methamphetamines, benzodiazepines and cocaine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(4),(10)(A),(10)(D)&(11)(B).

CHARGE VI.

On or about March 5, 2019, Respondent engaged in the intemperate and/or unlawful use of amphetamines, methamphetamines, benzodiazepines and cocaine in that she submitted a hair follicle for a drug screen which resulted positive for amphetamines, methamphetamines, benzodiazepines and cocaine. Unlawful possession of amphetamines, methamphetamines, benzodiazepines and cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of amphetamines, methamphetamines, benzodiazepines and cocaine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(4),(10)(A),(10)(D)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.


NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct, on adopted policies related to Behavior Involving Lying and Falsification, and on adopted policies related to Behavior Involving Fraud, Theft, and Deception, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

Filed this 8th day of October, 2019.

TEXAS BOARD OF NURSING


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