



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 ORDER  
Vocational Nurse License Number 227360 §  
issued to MELISSA MCDADE BOLLINGER §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MELISSA MCDADE BOLLINGER, Vocational Nurse License Number 227360, 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 March 5, 2020.

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 Concorde Career College, Grand Prairie, Texas, on January 17, 2010. Respondent was licensed to practice vocational nursing in the State of Texas on March 16, 2010.
5. Respondent's nursing employment history includes:

3/2010 – 05/2010	Unknown	
06/2010 – 08/2012	Licensed Vocational Nurse	Family Healthcare Associates Unknown

Respondent's nursing employment history continued:

09/2012	Unknown	
10/2012 – 04/2013	Licensed Vocational Nurse	Trinity Mission of Burleson Burleson, Texas
05/2013 – 04/2014	Licensed Vocational Nurse	Diabetes and Endocrine Associates Unknown
05/2014	Unknown	
06/2014 – 01/2016	Licensed Vocational Nurse	Crowley Nursing and Rehabilitation Crowley, Texas
02/2016	Unknown	
03/2016 – 07/2017	Licensed Vocational Nurse	Huguley Nursing and Rehabilitation Fort Worth, Texas
07/2017 – 07/2018	Licensed Vocational Nurse	River Oaks Nursing and Rehabilitation Fort Worth, Texas
07/2018 – 03/2019	Licensed Vocational Nurse	Garden Terrace Nursing and Rehabilitation Fort Worth, Texas
04/2019 – 08/2019	Licensed Vocational Nurse	Healthcare Resources Home Health Services Arlington, Texas
04/2019 - Present	Licensed Vocational Nurse	Huguley Nursing and Rehabilitation Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Healthcare Resources Home Health Services, Arlington, Texas, and had been in that position for four (4) months.

7. On or about August 29, 2019, while employed as a Licensed Vocational Nurse with Healthcare Resources Home Health Services, Arlington, Texas, and on assignment in the home of Patient KM, Respondent inappropriately brought an infant with her to the patient's house while conducting a skilled nursing visit. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
8. On or about August 29, 2019, while employed as a Licensed Vocational Nurse with Healthcare Resources Home Health Services, Arlington, Texas, and on assignment in the home of Patient KM, Respondent failed to assess the lungs of the patient who presented with nausea and a cough. Subsequently, the patient was assessed by another nurse who found the patient in respiratory distress with crackles to bilateral posterior lungs, an elevated temperature and blood pressure, and a low pulse oxygen reading. The physician was notified and the patient was transported by EMS to Mansfield Methodist Medical Center, Mansfield, Texas. Respondent's conduct exposed the patient unnecessarily to a risk of experiencing unrecognized clinical complications.
9. On or about August 30, 2019, while employed as a Licensed Vocational Nurse with Healthcare Resources Home Health Services, Arlington, Texas, and on assignment in the home of Patient MP, Respondent inappropriately brought an adult and an infant with her to the patient's house while conducting a skilled nursing visit. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
10. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she did bring her grandson with her, and that the patient's daughter told her that it was not a problem. In response to the incident in Finding of Fact Number Eight (8), Respondent states that she checked the patient's vitals, but failed to auscultate her lungs. Respondent states that the patient's respirations were even and unlabored, and the patient was very nauseated but felt fine other than that. Respondent states that when she was leaving, the patient's daughter stated that she would give the patient Zofran and that she would be fine as the patient does this all of the time. In response to the incident in Finding of Fact Number Nine (9), Respondent states that she did bring her adult daughter and grandson to the patient's room after she finished seeing the patient.

#### 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)(J),(1)(T)&(2)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4)&(6)(D).
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 227360, heretofore issued to MELISSA MCDADE BOLLINGER.
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. 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 physical assessment** 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 physical assessment of all body systems. The clinical component SHALL include physical assessment of live patients in a clinical setting; Performing assessments on mock patients or mannequins WILL NOT be accepted. 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.
- D. **The course "Professional Boundaries in Nursing,"** a 3.0 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).*

#### 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 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. 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. **Indirect Supervision:** 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.
- 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 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 four (4) quarters [one (1) year] 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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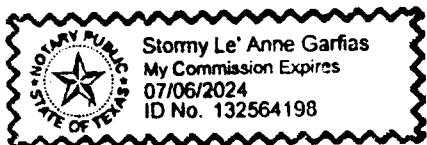
### RESPONDENT'S CERTIFICATION

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 24 day of September, 2020.

Melissa McAdade Bollinger  
MELISSA MCDADE BOLLINGER, RESPONDENT

Sworn to and subscribed before me this 24 day of September, 2020.



Stormy Garfias  
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 24<sup>th</sup> day of September, 2020, by MELISSA MCDADE BOLLINGER, Vocational Nurse License Number 227360, and said Agreed Order is final.

Effective this 22<sup>nd</sup> day of October, 2020.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas". The signature is written in a cursive style with a horizontal line extending from the end.

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