



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	§	AGREED ORDER
Registered Nurse License Number 766278	§	
issued to WINFRED SOLOMON QUILA	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of WINFRED SOLOMON QUILA, Registered Nurse License Number 766278, 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 June 2, 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 professional nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from Prairie View A&M College, Houston, Texas, on December 10, 2008. Respondent was licensed to practice professional nursing in the State of Texas on March 3, 2009.
5. Respondent's nursing employment history includes:

03/2009 – 04/2009	Unknown	
05/2009 – 06/2009	RN	Maxim Staffing Solutions Houston, Texas

Respondent's nursing employment history continued:

06/2009 – 06/2011	RN	Ben Taub Hospital Houston, Texas
06/2011 – 03/2019	RN	Houston Methodist Hospital Houston, Texas
04/2019 – Present	RN	St. Luke's Hospital Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Houston Methodist Hospital, Houston, Texas, and had been in that position for seven (7) years and five (5) months.
7. On or about November 19, 2018, while employed as a Registered Nurse with Houston Methodist Hospital, Houston, Texas, Respondent administered Fentanyl 50 mcg/1mL to Patient 106811920 in excess frequency and/or dosage of the physician's order. Respondent's conduct was likely to injure the patient in that the administration of medication in excess frequency and/or dosage of the physician's orders could result in the patient suffering from adverse reactions. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substance Act) of the Texas Health and Safety Code.
8. On or about November 5, 2018 through January 31, 2019, while employed as a Registered Nurse with Houston Methodist Hospital, Houston, Texas, Respondent withdrew medications from the medication dispensing system for patients, but failed to document and/or completely and accurately document the administration of two (2) tablets of Hydrocodone 5/325mg, one (1) tablet of Hydrocodone 10/325, two (2) syringes of Hydrocodone/Acetaminophen 5mL, two (2) tablets of Tramadol 50mg, ten (10) ampules of Fentanyl 50mcg, one (1) syringe of Lorazepam 2mg, two (2) syringes of Morphine 4mg, two (2) tablets of Tylenol #3 with Codeine 3mg, and three (3) syringes of Hydromorphone 1mg, including patient assessments before the administration of the medications, signs, symptoms, and responses to the medications, in the patients' Medication Administration Records and/or nurses' notes. Respondent's conduct was likely to injure the patients, in that subsequent care givers would rely on his documentation to further medicate the patients, which could result in an overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substance Act) of the Texas Health and Safety Code.
9. On or about November 5, 2018 through January 31, 2019, while employed as a Registered Nurse with Houston Methodist Hospital, Houston, Texas, Respondent withdrew one (1) tablet of Hydrocodone 10/325mg, two (2) syringes of Hydrocodone/Acetaminophen 5mL, one (1) tablet of Tramadol 50mg, seven (7) ampules of Fentanyl of 50mcg, one (1) syringe

of Lorazepam 2mg, two (2) syringes of Morphine 4mg, one (1) tablet of Tylenol #3 with Codeine 3mg, and three (3) syringes of Hydromorphone 1mg, 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. 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.

10. In response to Findings of Fact Numbers Seven (7) through nine (9), Respondent states he does not specifically recall any instance where he administered any medication in excess frequency/dosage than ordered. Respondent states he may have mis-charted the administration amount in the Medication Administration Record (MAR). Patient Medical Record Number 106811920 did not experience any untoward outcome and was discharged from Houston Methodist Hospital without incident. Respondent states it is common practice for nurses to remove and waste medications for other nurses. He states nowhere in the policies does it state that the same nurse who withdraws a medication must be to one to also waste said medication. He states the medication dispensing system and facility policy required a second nurse to witness all narcotic wastes.
11. On or about April 6, 2020 and April 20, 2020, Respondent underwent a Forensic Psychological Evaluation performed by Joyce M. Gayles, PhD. Dr. Gayles states Respondent shows signs of good emotional adjustment, personal resilience, and adequate frustration tolerance. She states he seems appropriately remorseful and committed to remediating the problems that led to the current investigation. Dr. Gayles believes based on the seriousness of the allegations balanced by Respondents professional history and overall results of the evaluation, she recommends Respondent should be required to complete courses in Ethics and Jurisprudence, Nursing Practice, and Medication Administration and Documentation and other courses deemed appropriate by the Board. Dr. Gayles states Respondent can fulfill the duties and responsibilities of a nurse based on Texas Board of Nursing guidelines and conduct himself in a professional manner as a nurse. She states Respondent's actions during the period under investigation do not seem to represent his overall ability and overall performance as a nurse.

#### 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)(D)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(10)(C),&(11)(B).

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 766278, heretofore issued to WINFRED SOLOMON QUILA.
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" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

#### **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. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording;

methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.

- D. **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).*

#### 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. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

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. SUBSEQUENT CRIMINAL PROCEEDINGS**

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

#### **VII. 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.

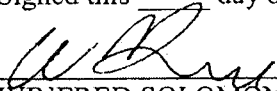
BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

**RESPONDENT'S CERTIFICATION**

I understand that I have the right to legal counsel prior to signing this Order. 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 15 day of September, 2020.

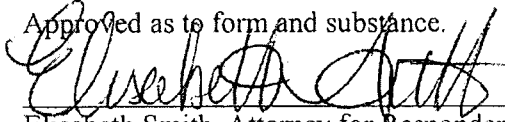
  
\_\_\_\_\_  
WINFRED SOLOMON QUILA, RESPONDENT

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

Approved as to form and substance.

  
\_\_\_\_\_  
Elisabeth Smith, Attorney for Respondent

Signed this 17<sup>th</sup> day of September, 2020.



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 15<sup>th</sup> day of September, 2020, by WINFRED SOLOMON QUILA, Registered Nurse License Number 766278, 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", written over a horizontal line.

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