



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 Advanced Practice Registered	§	AGREED
Nurse License Number AP115586	§	
& Registered Nurse License Number 591342	§	
issued to ROBERT GRANT HARMON	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ROBERT GRANT HARMON, Advanced Practice Registered Nurse License Number AP115586 and Registered Nurse License Number 591342, 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),(12)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 25, 2017.

### 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 Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status. Respondent's license to practice as an advanced practice registered nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from Austin Peay State University, Clarksville, Tennessee on May 1, 1989, and received a Masters Degree from The Academy of Health Sciences, Fort Sam Houston, Texas, on December 8, 2006. Respondent was licensed to practice professional nursing in the State of Texas on May 21, 1993, and was licensed to practice advanced practice registered nursing in the role of

Nurse Anesthetist in the State of Texas on January 26, 2007.

5. Respondent's nursing employment history includes:

07/89 - 07/92	RN	Blanchfield Army Community Hospital Fort Campbell, Kentucky
03/94 - 08/96	RN	William Beaumont Army Medical Center Fort Bliss, Texas
09/96 - 06/98	RN	Ireland Army Community Hospital Fort Knox, Kentucky
07/98 - 10/01	RN	Wright-Patterson Air Force Base Dayton, OH
11/01 - 07/02	RN	86th Combat Support Hospital Afghanistan
08/02 - 05/04	RN	Blanchfield Army Community Hospital Fort Campbell, Kentucky
06/04 - 11/06	Unknown	
12/06 -07/08	CRNA	William Beaumont Army Medical Center Fort Bliss, Texas
12/06 - 07/08	CRNA	Thomason Hospital El Paso, Texas
12/06 - 07/08	CRNA	Providence Hospital El Paso, Texas
08/08 - 05/11	CRNA	31st Combat Support Hospital Afghanistan
02/13 - 11/15	CRNA	North Lakes Pain Consultants Conroe, Texas
12/15 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Nurse Anesthetist with North Lakes Pain Consultants, Conroe, Texas, and had been in that position for two (2) years and nine (9) months.

7. On or about March 2015, through Present, while an employed as an Advanced Practice

Registered Nurse with North Lakes Pain Consultants, Conroe, Texas, Respondent may have lacked fitness to practice advanced practice nursing, in that he was diagnosed with a mental health condition that contributed to a dependency on a controlled substance. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

8. On or about November 2, 2015, and November 3, 2015, while employed as an Advanced Practice Registered Nurse with North Lakes Pain Consultants, Conroe, Texas, Respondent inaccurately documented the Daily Narcotic Log and Medication Administration Record, in that Respondent altered the quantity of Versed removed from the medication dispensing system to correct the narcotic count and falsely documented the quantity of Versed administered to multiple patients in the patients' Medication Administration Records (MAR). Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate information on which to base their care decisions.
9. In response to Finding of Fact Number Seven (7), Respondent states that following a difficult deployment and issues at home, his anger and depression intensified and he began isolating from family and friends. Respondent states he sought treatment for these issues. In response to Finding of Fact Number Eight (8), Respondent states he reviewed the count, and found the Versed was off by one. Respondent states the records were in a disorganized stack, so he began going through the records to find where a dose might have been missed. Respondent states he thought he found the error, but instead of marking a number 2 on his record, he marked it on the other provider's. Respondent states it was a careless and stupid act made while he was aggravated and impatient.
10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
11. Respondent provided letters of support from supervisors including Rodney Runyan, Dean of the College of Health Sciences and Marianne Moore, Interim Assistant Director of the Sam Houston State University School of Nursing which stated that he is a responsible and valued member of their current faculty as full time instructor.

#### 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)(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(1)(E),(4),(5),(6)(A),(6)(H),(10)(B)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP115586 and Registered Nurse License Number 591342, heretofore issued to ROBERT GRANT HARMON, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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 **LIMITED LICENSE WITH STIPULATIONS** in accordance with the terms of this Order.

- A. While under the terms of this Order, **RESPONDENT SHALL NOT provide direct patient care with the sole exception of Respondent's current position as an instructor of pathophysiology and pharmacology with Sam Houston State University, Huntsville, Texas, Respondent is authorized to provide patient care only to the extent necessary to teach in those subjects.** For the purposes of this Order, direct patient care involves a personal relationship between the nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.
- B. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- C. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

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

## III. 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 entry of this Order:**

**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 courses and video programs will not be approved.

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).*

## IV. RESTORATION OF PATIENT CARE PRIVILEGE AND/OR UNENCUMBERED LICENSE(S)

SHOULD RESPONDENT desire to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all

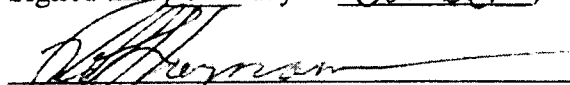
then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before re-issuance of an unencumbered license, which, at a minimum, shall include the remedial education courses, work restrictions, supervised practice, and/or employer reporting which would have been requirements of this Order had the license(s) not been placed in limited status.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed 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 when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. 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) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 7 day of October, 2020.

  
\_\_\_\_\_  
ROBERT GRANT HARMON, Respondent

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

SEAL

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

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 7th day of October, 20 20, by ROBERT GRANT HARMON, Advanced Practice Registered Nurse License Number AP115586 and Registered Nurse License Number 591342, and said Order is final.

Effective this 10th day of November, 20 20.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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