



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
Registered Nurse License Number 927487	§	
& Vocational Nurse License Number 200076	§	
issued to LAVITA LASHON TURNER	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LAVITA LASHON TURNER, Registered Nurse License Number 927487, and Vocational Nurse License Number 200076, 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 15, 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 delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from North Central Texas College, Gainesville, Texas, on August 11, 2005. Respondent received an Associate Degree in Nursing from North Central Texas College, Gainesville, Texas, on May 12, 2017. Respondent was licensed to practice vocational nursing in the State of Texas on September 20, 2005. Respondent was licensed to practice professional nursing in the State of Texas on July 13, 2017.

5. Respondent's nursing employment history includes:

9/2005 – 8/2008	Charge Nurse	Denton Rehabilitation & Nursing Center Denton, Texas
8/2008 – 12/2012	Medication Nurse	UBH/Mayhill Hospital Denton, Texas
1/2013	Unknown	
2/2013 – 1/2020	Charge Nurse/ Registered Nurse	Good Samaritan Society Denton, Texas
3/2017 – 9/2017	Charge Nurse	Mayhill Hospital Denton, Texas
12/2017 - Unknown	Registered Nurse	Denton State Supported Living Center Denton, Texas

6. On or about August 17, 2010, Respondent was issued the sanction of Warning with Stipulations through an Order of the Board. On or about September 28, 2011, Respondent successfully completed the terms of the Order. A copy of the August 17, 2010, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the incident, Respondent was employed as a Registered Nurse with Good Samaritan Society – Lake Forest Village, Denton, Texas, and had been in that position for four (4) years.
8. On or about January 1, 2020, while employed as a Registered Nurse with Good Samaritan Society - Lake Forest Village, Denton, Texas, Respondent incorrectly transcribed a revised Digoxin order into the medication record for Patient MRN 251152764 in that Respondent entered the order as 0.5 mg dose with instructions to administer two (2) tabs each day, instead of 250 mcg (.25 mg) tablet with instructions to take 0.5 tablet by oral route every day, as ordered. Subsequently, Patient MRN 251152764 received an increased dose of Digoxin in error until on or about January 9, 2020, when he exhibited signs and symptoms of Digoxin toxicity, and was admitted to the hospital. Respondent's conduct was likely to injure the patient from complications related to an overdose of Digoxin.
9. In response to the incident in Finding of Fact Number Eight (8), Respondent states that she reviewed the medication order multiple times and believed that she had accurately understood the order. Respondent states that she read the instructions to take 0.5 tablet as 0.5 mg and incorrectly transcribed the order in the Medication Administration Record. Respondent states that she identified her error when she went to reorder medication for the patient. Respondent states that she called the physician and verified the order.

## 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)(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 Registered Nurse License Number 927487, and Vocational Nurse License Number 200076, heretofore issued to LAVITA LASHON TURNER.
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" 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 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.

- 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](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 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. **Indirect Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, 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. **Incident Reporting:** For the remainder of the stipulation/probation period, 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.
- 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 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 30 day of November, 2010.

Lavita Lashon Turner  
LAVITA LASHON TURNER, 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  
Alejandro Mora

\_\_\_\_\_  
Alejandro Mora, Attorney for Respondent

Signed this 1st day of December, 2020.



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 30th day of November, 2020, by LAVITA LASHON TURNER, Registered Nurse License Number 927487, and Vocational Nurse License Number 200076, and said Agreed Order is final.

Effective this 21st day of January, 2021.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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

IN THE MATTER OF  
VOCATIONAL NURSE  
LICENSE NUMBER 200076  
ISSUED TO LAVITA LASHON TURNER

§ BEFORE THE TEXAS  
§  
§  
§ BOARD OF NURSING



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

**NUNC PRO TUNC ORDER OF THE BOARD**

TO: Lavita Lashon Turner  
5415 Green Ivy Rd  
Denton, TX 76210

During open meeting held in Austin, Texas, the Texas Board of Nursing (Board) finds that an Order of the Board was mistakenly ratified and entered for Lavita Lashon Turner. The Order, which was heard and ratified by the Board on August 17, 2010, mistakenly reflects an effective date of August 18, 2010. This date is incorrect. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Texas Board of Nursing, after review and due consideration of the record and the facts therein, invalidates the Order of the Board for Lavita Lashon Turner that is dated August 18, 2010, and submits and enters the corrected Order of the Board, with the effective date of August 17, 2010. No other changes to the Order have been made. Ms. Turner received due process regarding her nursing license; therefore, her rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Agreed Order of the Board is hereby approved and entered on the dates set forth below.

Order effective August 17, 2010.

Entered this 30th day of August, 2010.

TEXAS BOARD OF NURSING

BY:

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 200076	§	
issued to LAVITA LASHON TURNER	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LAVITA LASHON TURNER, a.k.a. Lavita Lashon Bruce, Vocational Nurse License Number 200076, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2),(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 31, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from North Central Texas College Vocational Nursing, Gainesville, Texas, on August 11, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on September 20, 2005.
5. Respondent's nursing employment history includes:

09/2005 - Present	Charge Nurse	Denton Rehabilitation & Nursing Center Denton, Texas
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6. On or about February 2, 1998, Respondent pled nolo contendere and was convicted of the offense "Criminal Mischief Greater Than \$50 and Less Than \$500" (a Class B Misdemeanor offense committed on November 6, 1997) in the County Criminal Court of Denton County, Texas, Cause No. CR-97-08264-A. Respondent's conduct was likely to injure the public.
7. On or about June 7, 2005, Respondent submitted false and deceptive information to the Board on her initial application for licensure to practice vocational nursing in that Respondent answered "No" to Eligibility Question Number One (1), which asked, in relevant part: "Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or county, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor traffic violation)? ..." On or about February 2, 1998, Respondent pled nolo contendere and was convicted of the offense "Criminal Mischief Greater Than \$50 and Less Than \$500" (a Class B Misdemeanor offense committed on November 6, 1997) in the County Criminal Court of Denton County, Texas, Cause No. CR-97-08264-A. Respondent's conduct may have affected the Board's decision regarding her eligibility for initial licensure to practice vocational nursing in the State of Texas.
8. On or about August 28, 2007, Respondent submitted false and deceptive information to the Board when completing the online renewal of her license to practice vocational nursing in that Respondent answered "No" to the Renewal Question Number Two (2), which asked, in relevant part: "Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or county, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor Class C traffic violations)? ... You may answer 'No' if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal and/or licensure form." On or about February 2, 1998, Respondent pled nolo contendere and was convicted of the offense "Criminal Mischief Greater Than \$50 and Less Than \$500" (a Class B Misdemeanor offense committed on November 6, 1997) in the County Criminal Court of Denton County, Texas, Cause No. CR-97-08264-A. As a result of the pleading, Respondent was court ordered to complete one (1) year of Community Supervision. Respondent's conduct was deceptive and may have influenced the Board's decision regarding renewal of her license to practice vocational nursing in the State of Texas.
9. At the time of the incident in Finding of Fact Number Nine (9), Respondent was employed as a Charge Nurse with Denton Rehabilitation & Nursing Center, Denton, Texas, and had been in this position for two (2) years and four (4) months.
10. On or about January 7, 2008, while employed as a Charge Nurse with Denton Rehabilitation and Nursing Center (DNRC), Denton, Texas, Respondent inappropriately accepted an assignment to perform intravenous (IV) therapy on Resident CC, who had a Peripherally Inserted Central Catheter (PICC), when she lacked the education, training, and skills required

to safely perform such duties. Although Respondent had completed a very basic IV course while in nursing school, she did not receive the advanced training needed to manage central lines. Respondent's conduct was likely to injure the resident from care provided without adequate and appropriate training and clinical expertise.

10. On or about January 7, 2008, while employed as a Charge Nurse with Denton Rehabilitation and Nursing Center (DNRC), Denton, Texas, Respondent inappropriately attempted to and/or inappropriately performed intravenous (IV) therapy while caring for Resident CC and Resident EW, as follows:
  - a. Respondent attempted to flush the IV line of Resident CC with sterile water, instead of Bacteriostatic Normal Saline, even though the bottle of sterile water was clearly marked with the warning, "Caution: For irrigation purposes only - not for injection;"
  - b. Respondent failed to check for a blood return before attempting to flush the IV line of Resident CC;
  - c. Respondent failed to break the seal between the two chambers of Clinimix to evenly mix the solution before administering the Clinimix to Resident CC;
  - d. Respondent failed to infuse the IV solution at the ordered rate for Resident EW; and
  - e. Respondent inappropriately wrote information in black marker directly on the plastic IV bag of Resident EW, instead of writing on tape and attaching the tape to the bag.Respondent's conduct may have resulted in non-efficacious treatment and/or caused adverse reactions, including infection and tissue damage.
11. In response to the incidents in Findings of Fact Numbers Seven (7) through Ten (10), Respondent admits that she answered "no" to the question on her initial application for licensure and asserts that when it was time for her nursing class "to send in the Declaratory Order of Eligibility," she explained her situation to the Dean of Nursing and the Dean's exact words were, "Oh you were young and dumb. I wouldn't worry about it." Respondent states she answered "no" to the same question on her renewal application because that's what she answered on the initial application. According to Respondent, she was not trying to deceive, mislead, or misguide anyone, and she does not think that the violation she committed would have had a negative effect on her being able to receive her license as a nurse, so it's not that she was trying to hide anything, it just wasn't clear to her at the time. Respondent apologizes "a thousand times." Regarding the IV, Respondent states that she does not feel that she inappropriately accepted the assignment because she had completed an IV therapy course, "Basic IV Therapy and Venipuncture" from North Central Texas College Vocational Nursing. Respondent states that she takes full responsibility for not following the steps of administering IV therapy with Resident CC, stating that this was an honest mistake in which she prepared 5 cc of sterile water to flush the resident's IV because she failed to follow the five rights of medication administration. Respondent contends that Resident CC was the only resident that she "was monitored giving IV therapy to" and concludes that she has been refreshed on IV therapy by a RN at DRNC since the incident.

### 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 of Section 301.452(b)(2),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(C),(1)(G),(1)(H),(1)(M),(1)(P)&(1)(T) and 217.12(1)(A),(1)(B),(1)(E),(4),(6)(H)&(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 200076, heretofore issued to LAVITA LASHON TURNER, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL 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.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Information regarding Board-approved courses in Texas Nursing Jurisprudence may be found at the Board's website Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a

minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*

*<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the



Board may have for relicensure. *Information regarding this workshop may be found at the following web address:*  
<http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.

(4) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on

RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse or 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 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.

(8) 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 Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license to practice nursing in the State of Texas and RESPONDENT shall 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 Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 Board. When this Order is ratified, the terms of this Order become effective, and 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 revocation of my license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

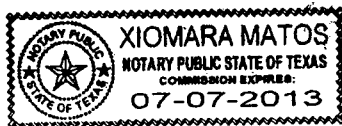
Signed this 30 day of June, 2010.

Lavita Lashon Turner  
LAVITA LASHON TURNER, Respondent

Sworn to and subscribed before me this 30 day of June, 2010.

SEAL

Xiomara Matos  
Notary Public in and for the State of Texas

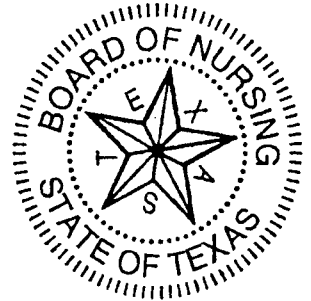


WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 30th day of June, 2010, by LAVITA LASHON TURNER, Vocational Nurse License Number 200076, and said Order is final.

Effective this 17th day of August, 2010.



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



BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 200076	§	
issued to LAVITA LASHON TURNER	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LAVITA LASHON TURNER, a.k.a. Lavita Lashon Bruce, Vocational Nurse License Number 200076, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2),(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 31, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from North Central Texas College Vocational Nursing, Gainesville, Texas, on August 11, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on September 20, 2005.
5. Respondent's nursing employment history includes:

09/2005 - Present	Charge Nurse	Denton Rehabilitation & Nursing Center Denton, Texas
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6. On or about February 2, 1998, Respondent pled nolo contendere and was convicted of the offense "Criminal Mischief Greater Than \$50 and Less Than \$500" (a Class B Misdemeanor offense committed on November 6, 1997) in the County Criminal Court of Denton County, Texas, Cause No. CR-97-08264-A. Respondent's conduct was likely to injure the public.
7. On or about June 7, 2005, Respondent submitted false and deceptive information to the Board on her initial application for licensure to practice vocational nursing in that Respondent answered "No" to Eligibility Question Number One (1), which asked, in relevant part: "Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or county, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor traffic violation)? ..." On or about February 2, 1998, Respondent pled nolo contendere and was convicted of the offense "Criminal Mischief Greater Than \$50 and Less Than \$500" (a Class B Misdemeanor offense committed on November 6, 1997) in the County Criminal Court of Denton County, Texas, Cause No. CR-97-08264-A. Respondent's conduct may have affected the Board's decision regarding her eligibility for initial licensure to practice vocational nursing in the State of Texas.
8. On or about August 28, 2007, Respondent submitted false and deceptive information to the Board when completing the online renewal of her license to practice vocational nursing in that Respondent answered "No" to the Renewal Question Number Two (2), which asked, in relevant part: "Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or county, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor Class C traffic violations)? ... You may answer 'No' if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal and/or licensure form." On or about February 2, 1998, Respondent pled nolo contendere and was convicted of the offense "Criminal Mischief Greater Than \$50 and Less Than \$500" (a Class B Misdemeanor offense committed on November 6, 1997) in the County Criminal Court of Denton County, Texas, Cause No. CR-97-08264-A. As a result of the pleading, Respondent was court ordered to complete one (1) year of Community Supervision. Respondent's conduct was deceptive and may have influenced the Board's decision regarding renewal of her license to practice vocational nursing in the State of Texas.
9. At the time of the incident in Finding of Fact Number Nine (9), Respondent was employed as a Charge Nurse with Denton Rehabilitation & Nursing Center, Denton, Texas, and had been in this position for two (2) years and four (4) months.
10. On or about January 7, 2008, while employed as a Charge Nurse with Denton Rehabilitation and Nursing Center (DNRC), Denton, Texas, Respondent inappropriately accepted an assignment to perform intravenous (IV) therapy on Resident CC, who had a Peripherally Inserted Central Catheter (PICC), when she lacked the education, training, and skills required

to safely perform such duties. Although Respondent had completed a very basic IV course while in nursing school, she did not receive the advanced training needed to manage central lines. Respondent's conduct was likely to injure the resident from care provided without adequate and appropriate training and clinical expertise.

10. On or about January 7, 2008, while employed as a Charge Nurse with Denton Rehabilitation and Nursing Center (DNRC), Denton, Texas, Respondent inappropriately attempted to and/or inappropriately performed intravenous (IV) therapy while caring for Resident CC and Resident EW, as follows:
  - a. Respondent attempted to flush the IV line of Resident CC with sterile water, instead of Bacteriostatic Normal Saline, even though the bottle of sterile water was clearly marked with the warning, "Caution: For irrigation purposes only - not for injection;"
  - b. Respondent failed to check for a blood return before attempting to flush the IV line of Resident CC;
  - c. Respondent failed to break the seal between the two chambers of Clinimix to evenly mix the solution before administering the Clinimix to Resident CC;
  - d. Respondent failed to infuse the IV solution at the ordered rate for Resident EW; and
  - e. Respondent inappropriately wrote information in black marker directly on the plastic IV bag of Resident EW, instead of writing on tape and attaching the tape to the bag.Respondent's conduct may have resulted in non-efficacious treatment and/or caused adverse reactions, including infection and tissue damage.
11. In response to the incidents in Findings of Fact Numbers Seven (7) through Ten (10), Respondent admits that she answered "no" to the question on her initial application for licensure and asserts that when it was time for her nursing class "to send in the Declaratory Order of Eligibility," she explained her situation to the Dean of Nursing and the Dean's exact words were, "Oh you were young and dumb. I wouldn't worry about it." Respondent states she answered "no" to the same question on her renewal application because that's what she answered on the initial application. According to Respondent, she was not trying to deceive, mislead, or misguide anyone, and she does not think that the violation she committed would have had a negative effect on her being able to receive her license as a nurse, so it's not that she was trying to hide anything, it just wasn't clear to her at the time. Respondent apologizes "a thousand times." Regarding the IV, Respondent states that she does not feel that she inappropriately accepted the assignment because she had completed an IV therapy course, "Basic IV Therapy and Venipuncture" from North Central Texas College Vocational Nursing. Respondent states that she takes full responsibility for not following the steps of administering IV therapy with Resident CC, stating that this was an honest mistake in which she prepared 5 cc of sterile water to flush the resident's IV because she failed to follow the five rights of medication administration. Respondent contends that Resident CC was the only resident that she "was monitored giving IV therapy to" and concludes that she has been refreshed on IV therapy by a RN at DRNC since the incident.



### 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 of Section 301.452(b)(2),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(C), (1)(G),(1)(H),(1)(M),(1)(P)&(1)(T) and 217.12(1)(A),(1)(B),(1)(E),(4),(6)(H)&(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 200076, heretofore issued to LAVITA LASHON TURNER, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL 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.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Information regarding Board-approved courses in Texas Nursing Jurisprudence may be found at the Board's website Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.*

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a

minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. 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. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*  
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the

Board may have for relicensure. *Information regarding this workshop may be found at the following web address:*  
<http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.

(4) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on

RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse or 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 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.

(8) 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 Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license to practice nursing in the State of Texas and RESPONDENT shall 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 Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 Board. When this Order is ratified, the terms of this Order become effective, and 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 revocation of my license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30 day of June, 2010.

Lavita Lashon Turner  
LAVITA LASHON TURNER, Respondent

Sworn to and subscribed before me this 30 day of June, 2010.

SEAL




Xiomara Matos

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 30<sup>th</sup> day of June, 2010, by LAVITA LASHON TURNER, Vocational Nurse License Number 200076, and said Order is final.

Effective this 18th day of August, 2010.

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

