



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

In the Matter of  
JAMELA CHA'NEL IVERY,  
Registered Nurse License Number 852771

§ BEFORE THE TEXAS  
§  
§ BOARD OF NURSING

**NUNC PRO TUNC ORDER OF THE BOARD**

An Agreed Order was entered for Jamela Cha'Nel Ivery on January 21, 2021. However, the Order contained a typographical error on page 2. 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 submits and enters the corrected Agreed Order. Respondent received due process regarding her license; therefore, her rights have not been prejudiced.

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

Order effective January 21, 2016.

Entered this 5th day of February, 2021.

BY:

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Registered Nurse License Number 852771	§	
issued to JAMELA CHA' NEL IVERY	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JAMELA CHA' NEL IVERY, Registered Nurse License Number 852771, 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 October 14, 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 an Associate Degree in Nursing from Southern Arkansas University, Magnolia, Arkansas, on May 3, 2013. Respondent was licensed to practice professional nursing in the State of Texas on March 4, 2014.
5. Respondent's nursing employment history includes:

03/14 – 04/15	Unknown	
05/15 – 05/16	RN Charge Nurse	Golden Villa Nursing and Rehabilitation Atlanta, Texas

Respondent's nursing employment history continued:

05/16 – 02/17	RN/ADON	Waterton Plaza Nursing and Rehabilitation Texarkana, Texas
03/17 – 05/17	Unknown	
06/17 – 05/18	RN/DON	Pleasant Manor Health and Rehabilitation Waxahachie, Texas
06/18 – 09/18	Field RN	Choice Home Care Grapevine, Texas
10/18 – 04/19	RN	Encompass Home Health and Hospice Duncanville, Texas
05/19 – 10/19	RN	Christus St. Michael Health System Texarkana, Texas
08/19 – Present	RN	Post-Acute Medical Hospital Texarkana, Texas

6. On or about October 24, 2013, Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through a Confidential Eligibility Agreed Order of the Board. On or about May 16, 2017, Respondent successfully completed the terms of the Order. A copy of the October 24, 2013, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the initial incident, Respondent was employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, and had been in that position for two (2) months.
8. On or about July 22, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to obtain a lab specimen for a PTT for Patient Number AB0707998061, as ordered by the physician. As a result, the patient received an entire 500ml bag of Heparin and the PTT result returned as "no value" indicating no clotting. Respondent's conduct unnecessarily exposed the patient to a risk of harm from complications associated with heparin overdose.
9. On or about September 13, 2019, through October 16, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent removed one (1) Morphine Solution 10mg cup, one (1) Hydrocodone 5/325mg tablet, two (2) Oxycodone 5/325mg tablets, and two (2) Hydromorphone 1mg/ml syringes

from the medication dispensing system for Patient Numbers AB0708021704, AB0708022713, AB0708027815, and AB0708035613, but failed to document, or accurately and completely document, the administration of the medications in the patients' medication administration records (MARs) and/or nurse's notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her 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 Substances Act) of the Texas Health and Safety Code.

10. On or about September 13, 2019, through October 16, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent removed one (1) Morphine Solution 10mg cup, one (1) Hydrocodone 5/325mg tablet, two (2) Oxycodone 5/325mg tablets, and two (2) Hydromorphone 1mg/ml syringes from the medication dispensing system for Patient Numbers AB0708021704, AB0708022713, AB0708027815, and AB0708035613, but failed to follow the facility's policy and procedure 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.
11. On or about October 8, 2019, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, and floated to the Emergency Department (ED), Respondent mislabeled two specimens for two separate patients. Respondent's conduct was likely to injure the patients from medical decisions based on incorrect testing and/or results.
12. On or about October 8, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, and floated to the Emergency Department (ED), Respondent attempted to administer an intramuscular (IM) Toradol injection to a patient by mixing it with normal saline "so it doesn't burn as bad." Respondent's conduct may have injured the patient in that failing to properly administer IM medications as ordered by the physician could result in the patient suffering from adverse reactions.
13. On or about October 11, 2019, through October 12, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to properly assess and connect an NG tube for suctioning for Patient Number AB0708031979. Respondent's conduct unnecessarily exposed the patient to a risk of harm from complications associated with a disconnected NG tube, including abdominal distention and pressure at the surgical site.
14. On or about October 11, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to perform postoperative interventions for Patient Number AB0708031039. Respondent's conduct was likely to injure the patient from undetected complications and/or changes in condition.

15. On or about October 12, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent contacted the physician to notify her of a critical lab value for the aforementioned Patient Number AB0708031039, but was vague and/or unaware of the patient information that the physician needed. Respondent's conduct exposed the patient to risk of harm by depriving the physician of information required to institute timely medical interventions to stabilize the patient's condition.
16. On or about October 14, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to document admission assessments, including vital signs, for Patient Numbers AB0708035763 and AB0708035748. Respondent's conduct created incomplete medical records and was likely to injure the patients in that subsequent care givers would not have complete information to base their future care decisions.
17. On or about October 16, 2019 and October 17, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to administer IV Zosyn to Patient Number AB0708037134 at 2145 and 0545, respectively, as scheduled and as ordered by the physician. Respondent's conduct was likely to injure the patient from complications associated with infection, including sepsis.
18. On or about October 17, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to draw labs for a magnesium level for Patient Number AB0708035591 at 0400, as ordered by the physician. The lab was drawn by the oncoming shift nurse approximately five (5) hours after the ordered time. Respondent's conduct was likely to injure the patient from delayed lab results and exposed the patient to a risk of harm from complications associated with low magnesium levels.
19. On or about October 27, 2019, through October 28, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to document the reason for initiating restraints for Patient Number AB0708038338. Additionally, Respondent failed to assess, and/or document her assessment of, the patient after she experienced a fall. Respondent's conduct created an incomplete medical record.
20. In response to Findings of Fact Numbers Eight (8) through Nineteen (19), regarding the heparin, Respondent admits there was a heparin lab that was due and she did miss it by accident. Regarding the documentation and wastage of narcotics, Respondent states she has always done her six checks before administering medications. Respondent adds that in order to give the medications, the patient's bracelet needs to be scanned and then the medication is scanned. Regarding the mislabeled lab specimens, Respondent states she was told to draw a "rainbow" meaning draw labs for all tubes no matter if the doctor ordered the lab or not. Respondent states she was told this was standard procedure and although the sticker may be green, she would still use the sticker for red, gold, blue, gray, or purple top because all the lab needs is for the patient's name to be on the tube. Regarding the Toradol

injection, Respondent states she has never had to administer an IM injection and the only injections she has done have been IV. Respondent adds that she was taught to mix all medications with normal saline, especially narcotics, because of the burning sensation of some medications. Regarding the NG tube, Respondent states the NG tube was not hooked up to suction when rounds were done, nor was she told in report that the patient's NG tube was to be hooked up to suction. Regarding Patient Number AB0708031039, Respondent states she called the physician about a lab value and the physician got upset because she asked Respondent if the patient had been up walking. Respondent states she worked 7p-7a so she had no idea if the patient had gotten up that day. Respondent states she told the physician she didn't know but that she would find out. Regarding the admission assessments, Respondent states she has never performed an assessment and not documented it. Regarding the Zosyn, Respondent states she does not recall ever not giving a patient their medication. Regarding the magnesium level, Respondent states that if there was ever a time that she did not draw labs, it was because she attempted to draw labs on them more than once and then asked another nurse to try. Respondent adds that if that nurse could not get the labs, she would call rapid and if rapid did not come before the end of the day, she would notify the oncoming shift nurse. Regarding the restraints and patient fall, Respondent states she was only RN on the unit for that shift. Respondent states she called the House Supervisor and asked for help because she needed to go down to pharmacy to get the dialyzer for a patient who needed dialysis. Respondent states that another patient had previously attempted to get out of bed because he was confused. Respondent states the HS sent a surgery RN to help temporarily so she went downstairs to get the dialysis bag and when she returned, the surgery RN told her that a patient had fallen and he had called a rapid response. Respondent states that although rapid response was there and the other RN had already assessed the patient, she performed her own assessment. Respondent admits she did not document her assessment because she forgot.

21. On or about August 26, 2020, Respondent underwent a Forensic Psychological Evaluation with J. Randall Price, Ph.D., wherein Dr. Price advised that the stressors and termination of her abusive relationship likely negatively affected her performance as a floor nurse in a hospital which may have had the consequence of making mistakes with patients and/or failing to adequately document procedures. Dr. Price further advised that the evaluation did not reveal evidence that Respondent was or is impaired secondary to being impaired by narcotic medications. Dr. Price recommended that Respondent undergo counseling sessions with a qualified counselor for issues stemming from being in an abusive marital relationship. Dr. Price further recommends that Respondent be placed on a supervised probationary period during the next two years of her licensure to ensure that she is appropriately following the rules and standards of the Board.

#### 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),(1)(M),(1)(P)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(10)(B),(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 852771, heretofore issued to JAMELA CHA' NEL IVERY.
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 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 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.
- D. **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.
- E. **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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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. **Indirect Supervision:** For the remainder of the stipulation/probation period, 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.

- 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. THERAPY REPORTS**

**While working as a nurse under the terms of this Order, RESPONDENT SHALL participate in therapy with a professional counselor with credentials approved by the Board.** RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT'S progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to provide direct patient care safely. For the first three (3) month quarterly period RESPONDENT works as a nurse under the terms of this Order, reports are to be submitted to the Board each and every month. If therapy is recommended by the counselor for an additional period of time, the reports shall then be submitted to the Board at the end of each three (3) month quarterly period in which the RESPONDENT is working as a nurse under the terms of this Order, for the remainder of the term of the Order, or until RESPONDENT is dismissed from therapy, whichever is earlier.

## **VII. RESTORATION OF UNENCUMBERED LICENSE(S)**

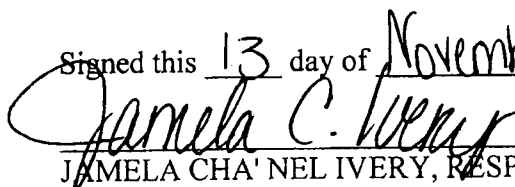
Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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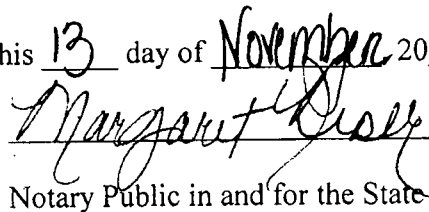
### RESPONDENT'S CERTIFICATION

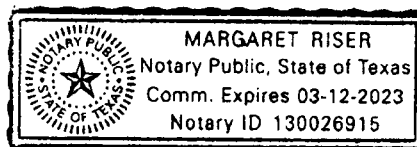
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, 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 13 day of November, 2020.  
  
JAMELA CHA' NEL IVERY, RESPONDENT

Sworn to and subscribed before me this 13 day of November, 2020.

SEAL

  
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 13th day of November, 2020, by JAMELA CHA' NEL IVERY, Registered Nurse License Number 852771, and said Agreed Order is final.

Effective this 21st day of January, 2021.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	CONFIDENTIAL ELIGIBILITY
JAMELA CHA'NEL IVERY,	§	AGREED ORDER FOR
PETITIONER for Eligibility for Licensure	§	PEER ASSISTANCE PROGRAM

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, considered the Application by Examination, which has been processed as a Petition for Declaratory Order pursuant to 22 TEX. ADMIN. CODE §217.2(b) and §213.30, and supporting documents filed by JAMELA CHA'NEL IVERY, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be ineligible for licensure pursuant to Sections 301.452(b)(10)&(12) and 301.453, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered under the authority of Section 301.466(d), Texas Occupations Code, and approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 19, 2013.

FINDINGS OF FACT

1. On or about April 12, 2013, PETITIONER submitted an Application by Examination requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.2(b) and §213.30.
2. Petitioner waived representation by counsel, informal proceedings, notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Professional Nursing from the Southern Arkansas University, Magnolia, Arkansas, on May 3, 2013.

4. Petitioner completed the Application by Examination Petition for Declaratory Order and answered "Yes" to the question which reads as follows: *"Within the past five (5) years have you been addicted to and/or treated for the use of alcohol or any other drug?"*
5. Petitioner stated that she was prescribed hydrocodone for lower back pain, and Xanax for anxiety in 2007. She first voluntarily went to rehabilitation in 2009 and left without completing treatment. She was treated for narcotics dependency in 2010. She voluntarily went to a pain management doctor who prescribed her the medications. Dr. Weedman started a detox treatment with saboxone. Within the same year she became pregnant and did not return for the saboxone treatment.
6. The safety of patients and the public requires that all persons licensed to practice nursing be fit, sober, and able to consistently practice nursing in autonomous roles under demanding and stressful conditions.
7. Petitioner has sworn that, with the exception of matters disclosed in connection with the Application by Examination, her past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
8. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
10. The Executive Director considered evidence of Petitioner's substance abuse/chemical dependency, and subsequent rehabilitation as provided in 22 TEX. ADMIN. CODE §213.29 and in accordance with 22 TEX. ADMIN. CODE §213.33.
11. Petitioner's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.
12. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
13. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
14. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.
2. On or about April 12, 2013, PETITIONER submitted an Application by Examination requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.2(b) and §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for denial of a license under Section 301.452(b)(10)&(12), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. The Board may license an individual who has a history of mental illness and substance abuse and/or chemical dependency after consideration of the criteria set out in 22 TEX. ADMIN. CODE §213.29 if the Board determines the individual does not pose a direct threat to the health and safety of patients or the public.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
7. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.
8. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

### ORDER

NOW, THEREFORE, IT IS AGREED that, upon meeting the requirements for graduation of an appropriate program in nursing education and payment of any required fees, PETITIONER is ELIGIBLE to sit for the National Council Licensure Examination for Practical

Nurses (NCLEX-PN® Examination) and/or the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination), as applicable.

IT IS FURTHER AGREED that PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Vocational Nurse (GVN) and/or as a Graduate Nurse (GN), as applicable, in the State of Texas.

IT IS FURTHER AGREED that, upon payment of any required fees and upon attaining a passing grade on the appropriate National Council Licensure Examination, PETITIONER shall be issued the applicable license to practice nursing in the State of Texas, and while under the terms of this Order all licenses issued to PETITIONER shall be subject to the following stipulations:

PETITIONER SHALL obtain and read the Texas Nursing Practice Act and the Rules and Regulations Relating to Nurse Education, Licensure, and Practice.

PETITIONER 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 PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while PETITIONER'S license(s) is/are encumbered by this Order, PETITIONER 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 PETITIONER wishes to work.

NOW, THEREFORE, IT IS FURTHER AGREED and ORDERED that PETITIONER SHALL comply with the following conditions for such a time as is required for PETITIONER to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) PETITIONER SHALL, within forty-five (45) days of licensure, apply to TPAPN and SHALL, within ninety (90) days of licensure, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Texas Board of Nursing.

(3) PETITIONER SHALL comply with all requirements of the TPAPN contract during its term.

(4) PETITIONER SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN contract.

IT IS FURTHER AGREED that, while PETITIONER remains in compliance with the terms of this Order, this Order shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should PETITIONER fail to successfully complete the terms of this Order or should PETITIONER commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

IT IS FURTHER AGREED, SHOULD PETITIONER fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or revocation of PETITIONER'S license(s) and nurse compact licensure privileges, if any, to practice nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application and/or petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application and/or petition, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of my potential ineligibility for licensure through peer assistance.

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 EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of my license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

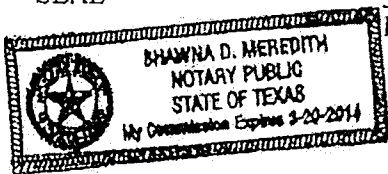
I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 15 day of Oct, 2013.

Jamela C. Ivery  
JAMELA CHA'NEL IVERY, PETITIONER

Sworn to and subscribed before me this 15 day of October, 2013.

SEAL



Shantna Meredith  
Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby ratify and adopt the Confidential Eligibility Agreed Order for Peer Assistance Program that was signed on the 15th day of October, 2013, by JAMELA CHA'NEL IVERY, PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this 24th day of October, 2013.

*Katherine A. Thomas*

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



I certify this to be a true copy of the  
records on file with the Texas Board  
of Nursing.

Date:

Signed:

11-1-2013  
Barbara Darling

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 852771	§	
issued to JAMELA CHA' NEL IVERY	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JAMELA CHA' NEL IVERY, Registered Nurse License Number 852771, 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 October 14, 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 an Associate Degree in Nursing from Southern Arkansas University, Magnolia, Arkansas, on May 3, 2013. Respondent was licensed to practice professional nursing in the State of Texas on March 4, 2014.
5. Respondent's nursing employment history includes:

03/14 – 04/15	Unknown	
05/15 – 05/16	RN Charge Nurse	Golden Villa Nursing and Rehabilitation Atlanta, Texas

Respondent's nursing employment history continued:

05/16 – 02/17	RN/ADON	Waterton Plaza Nursing and Rehabilitation Texarkana, Texas
03/17 – 05/17	Unknown	
06/17 – 05/18	RN/DON	Pleasant Manor Health and Rehabilitation Waxahachie, Texas
06/18 – 09/18	Field RN	Choice Home Care Grapevine, Texas
10/18 – 04/19	RN	Encompass Home Health and Hospice Duncanville, Texas
05/19 – 10/19	RN	Christus St. Michael Health System Texarkana, Texas
08/19 – Present	RN	Post-Acute Medical Hospital Texarkana, Texas

6. On or about October 24, 2013, Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through a Confidential Eligibility Agreed Order of the Board. On or about April 11, 2018, Respondent successfully completed the terms of the Order. A copy of the October 24, 2013, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the initial incident, Respondent was employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, and had been in that position for two (2) months.
8. On or about July 22, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to obtain a lab specimen for a PTT for Patient Number AB0707998061, as ordered by the physician. As a result, the patient received an entire 500ml bag of Heparin and the PTT result returned as "no value" indicating no clotting. Respondent's conduct unnecessarily exposed the patient to a risk of harm from complications associated with heparin overdose.
9. On or about September 13, 2019, through October 16, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent removed one (1) Morphine Solution 10mg cup, one (1) Hydrocodone 5/325mg tablet, two (2) Oxycodone 5/325mg tablets, and two (2) Hydromorphone 1mg/ml syringes

from the medication dispensing system for Patient Numbers AB0708021704, AB0708022713, AB0708027815, and AB0708035613, but failed to document, or accurately and completely document, the administration of the medications in the patients' medication administration records (MARs) and/or nurse's notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her 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 Substances Act) of the Texas Health and Safety Code.

10. On or about September 13, 2019, through October 16, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent removed one (1) Morphine Solution 10mg cup, one (1) Hydrocodone 5/325mg tablet, two (2) Oxycodone 5/325mg tablets, and two (2) Hydromorphone 1mg/ml syringes from the medication dispensing system for Patient Numbers AB0708021704, AB0708022713, AB0708027815, and AB0708035613, but failed to follow the facility's policy and procedure 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.
11. On or about October 8, 2019, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, and floated to the Emergency Department (ED), Respondent mislabeled two specimens for two separate patients. Respondent's conduct was likely to injure the patients from medical decisions based on incorrect testing and/or results.
12. On or about October 8, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, and floated to the Emergency Department (ED), Respondent attempted to administer an intramuscular (IM) Toradol injection to a patient by mixing it with normal saline "so it doesn't burn as bad." Respondent's conduct may have injured the patient in that failing to properly administer IM medications as ordered by the physician could result in the patient suffering from adverse reactions.
13. On or about October 11, 2019, through October 12, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to properly assess and connect an NG tube for suctioning for Patient Number AB0708031979. Respondent's conduct unnecessarily exposed the patient to a risk of harm from complications associated with a disconnected NG tube, including abdominal distention and pressure at the surgical site.
14. On or about October 11, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to perform postoperative interventions for Patient Number AB0708031039. Respondent's conduct was likely to injure the patient from undetected complications and/or changes in condition.

15. On or about October 12, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent contacted the physician to notify her of a critical lab value for the aforementioned Patient Number AB0708031039, but was vague and/or unaware of the patient information that the physician needed. Respondent's conduct exposed the patient to risk of harm by depriving the physician of information required to institute timely medical interventions to stabilize the patient's condition.
16. On or about October 14, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to document admission assessments, including vital signs, for Patient Numbers AB0708035763 and AB0708035748. Respondent's conduct created incomplete medical records and was likely to injure the patients in that subsequent care givers would not have complete information to base their future care decisions.
17. On or about October 16, 2019 and October 17, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to administer IV Zosyn to Patient Number AB0708037134 at 2145 and 0545, respectively, as scheduled and as ordered by the physician. Respondent's conduct was likely to injure the patient from complications associated with infection, including sepsis.
18. On or about October 17, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to draw labs for a magnesium level for Patient Number AB0708035591 at 0400, as ordered by the physician. The lab was drawn by the oncoming shift nurse approximately five (5) hours after the ordered time. Respondent's conduct was likely to injure the patient from delayed lab results and exposed the patient to a risk of harm from complications associated with low magnesium levels.
19. On or about October 27, 2019, through October 28, 2019, while employed as a Registered Nurse (RN) with Christus St. Michael Health System, Texarkana, Texas, Respondent failed to document the reason for initiating restraints for Patient Number AB0708038338. Additionally, Respondent failed to assess, and/or document her assessment of, the patient after she experienced a fall. Respondent's conduct created an incomplete medical record.
20. In response to Findings of Fact Numbers Eight (8) through Nineteen (19), regarding the heparin, Respondent admits there was a heparin lab that was due and she did miss it by accident. Regarding the documentation and wastage of narcotics, Respondent states she has always done her six checks before administering medications. Respondent adds that in order to give the medications, the patient's bracelet needs to be scanned and then the medication is scanned. Regarding the mislabeled lab specimens, Respondent states she was told to draw a "rainbow" meaning draw labs for all tubes no matter if the doctor ordered the lab or not. Respondent states she was told this was standard procedure and although the sticker may be green, she would still use the sticker for red, gold, blue, gray, or purple top because all the lab needs is for the patient's name to be on the tube. Regarding the Toradol

injection, Respondent states she has never had to administer an IM injection and the only injections she has done have been IV. Respondent adds that she was taught to mix all medications with normal saline, especially narcotics, because of the burning sensation of some medications. Regarding the NG tube, Respondent states the NG tube was not hooked up to suction when rounds were done, nor was she told in report that the patient's NG tube was to be hooked up to suction. Regarding Patient Number AB0708031039, Respondent states she called the physician about a lab value and the physician got upset because she asked Respondent if the patient had been up walking. Respondent states she worked 7p-7a so she had no idea if the patient had gotten up that day. Respondent states she told the physician she didn't know but that she would find out. Regarding the admission assessments, Respondent states she has never performed an assessment and not documented it. Regarding the Zosyn, Respondent states she does not recall ever not giving a patient their medication. Regarding the magnesium level, Respondent states that if there was ever a time that she did not draw labs, it was because she attempted to draw labs on them more than once and then asked another nurse to try. Respondent adds that if that nurse could not get the labs, she would call rapid and if rapid did not come before the end of the day, she would notify the oncoming shift nurse. Regarding the restraints and patient fall, Respondent states she was only RN on the unit for that shift. Respondent states she called the House Supervisor and asked for help because she needed to go down to pharmacy to get the dialyzer for a patient who needed dialysis. Respondent states that another patient had previously attempted to get out of bed because he was confused. Respondent states the HS sent a surgery RN to help temporarily so she went downstairs to get the dialysis bag and when she returned, the surgery RN told her that a patient had fallen and he had called a rapid response. Respondent states that although rapid response was there and the other RN had already assessed the patient, she performed her own assessment. Respondent admits she did not document her assessment because she forgot.

21. On or about August 26, 2020, Respondent underwent a Forensic Psychological Evaluation with J. Randall Price, Ph.D., wherein Dr. Price advised that the stressors and termination of her abusive relationship likely negatively affected her performance as a floor nurse in a hospital which may have had the consequence of making mistakes with patients and/or failing to adequately document procedures. Dr. Price further advised that the evaluation did not reveal evidence that Respondent was or is impaired secondary to being impaired by narcotic medications. Dr. Price recommended that Respondent undergo counseling sessions with a qualified counselor for issues stemming from being in an abusive marital relationship. Dr. Price further recommends that Respondent be placed on a supervised probationary period during the next two years of her licensure to ensure that she is appropriately following the rules and standards of the Board.

### 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),(1)(M),(1)(P)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(10)(B),(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 852771, heretofore issued to JAMELA CHA' NEL IVERY.
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 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 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.
- D. **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.
- E. **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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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. **Indirect Supervision:** For the remainder of the stipulation/probation period, 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.

- 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. THERAPY REPORTS**

**While working as a nurse under the terms of this Order, RESPONDENT SHALL participate in therapy with a professional counselor with credentials approved by the Board.** RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT'S progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to provide direct patient care safely. For the first three (3) month quarterly period RESPONDENT works as a nurse under the terms of this Order, reports are to be submitted to the Board each and every month. If therapy is recommended by the counselor for an additional period of time, the reports shall then be submitted to the Board at the end of each three (3) month quarterly period in which the RESPONDENT is working as a nurse under the terms of this Order, for the remainder of the term of the Order, or until RESPONDENT is dismissed from therapy, whichever is earlier.

## **VII. RESTORATION OF UNENCUMBERED LICENSE(S)**

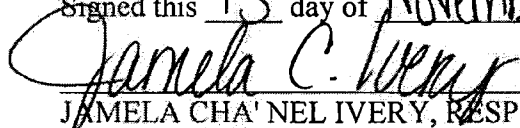
Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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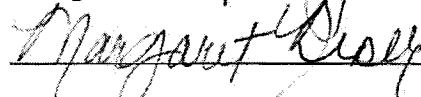
**RESPONDENT'S CERTIFICATION**

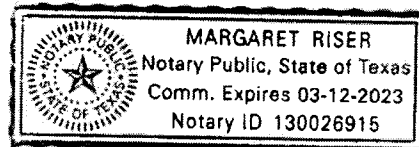
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, 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 13 day of November, 2020.  
  
JAMELA CHA' NEL IVERY, RESPONDENT

Sworn to and subscribed before me this 13 day of November, 2020.

SEAL

  
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 13th day of November, 2020, by JAMELA CHA' NEL IVERY, Registered Nurse License Number 852771, and said Agreed Order is final.

Effective this 21st day of January, 2021.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	CONFIDENTIAL ELIGIBILITY
JAMELA CHA'NEL IVERY,	§	AGREED ORDER FOR
PETITIONER for Eligibility for Licensure	§	PEER ASSISTANCE PROGRAM

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, considered the Application by Examination, which has been processed as a Petition for Declaratory Order pursuant to 22 TEX. ADMIN. CODE §217.2(b) and §213.30, and supporting documents filed by JAMELA CHA'NEL IVERY, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be ineligible for licensure pursuant to Sections 301.452(b)(10)&(12) and 301.453, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered under the authority of Section 301.466(d), Texas Occupations Code, and approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 19, 2013.

FINDINGS OF FACT

1. On or about April 12, 2013, PETITIONER submitted an Application by Examination requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.2(b) and §213.30.
2. Petitioner waived representation by counsel, informal proceedings, notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Professional Nursing from the Southern Arkansas University, Magnolia, Arkansas, on May 3, 2013.

4. Petitioner completed the Application by ExaminationPetition for Declaratory Order and answered "Yes" to the question which reads as follows: *"Within the past five (5) years have you been addicted to and/or treated for the use of alcohol or any other drug?"*
5. Petitioner stated that she was prescribed hydrocodone for lower back pain, and Xanax for anxiety in 2007. She first voluntarily went to rehabilitation in 2009 and left without completing treatment. She was treated for narcotics dependency in 2010. She voluntarily went to a pain management doctor who prescribed her the medications. Dr. Weedman started a detox treatment with saboxone. Within the same year she became pregnant and did not return for the saboxone treatment.
6. The safety of patients and the public requires that all persons licensed to practice nursing be fit, sober, and able to consistently practice nursing in autonomous roles under demanding and stressful conditions.
7. Petitioner has sworn that, with the exception of matters disclosed in connection with the Application by Examination, her past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
8. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
10. The Executive Director considered evidence of Petitioner's substance abuse/chemical dependency, and subsequent rehabilitation as provided in 22 TEX. ADMIN. CODE §213.29 and in accordance with 22 TEX. ADMIN. CODE §213.33.
11. Petitioner's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.
12. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
13. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
14. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.
2. On or about April 12, 2013, PETITIONER submitted an Application by Examination requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.2(b) and §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for denial of a license under Section 301.452(b)(10)&(12), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. The Board may license an individual who has a history of mental illness and substance abuse and/or chemical dependency after consideration of the criteria set out in 22 TEX. ADMIN. CODE §213.29 if the Board determines the individual does not pose a direct threat to the health and safety of patients or the public.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
7. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.
8. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

### ORDER

NOW, THEREFORE, IT IS AGREED that, upon meeting the requirements for graduation of an appropriate program in nursing education and payment of any required fees, PETITIONER is ELIGIBLE to sit for the National Council Licensure Examination for Practical

Nurses (NCLEX-PN® Examination) and/or the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination), as applicable.

IT IS FURTHER AGREED that PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Vocational Nurse (GVN) and/or as a Graduate Nurse (GN), as applicable, in the State of Texas.

IT IS FURTHER AGREED that, upon payment of any required fees and upon attaining a passing grade on the appropriate National Council Licensure Examination, PETITIONER shall be issued the applicable license to practice nursing in the State of Texas, and while under the terms of this Order all licenses issued to PETITIONER shall be subject to the following stipulations:

PETITIONER SHALL obtain and read the Texas Nursing Practice Act and the Rules and Regulations Relating to Nurse Education, Licensure, and Practice.

PETITIONER 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 PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while PETITIONER'S license(s) is/are encumbered by this Order, PETITIONER 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 PETITIONER wishes to work.

NOW, THEREFORE, IT IS FURTHER AGREED and ORDERED that PETITIONER SHALL comply with the following conditions for such a time as is required for PETITIONER to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) PETITIONER SHALL, within forty-five (45) days of licensure, apply to TPAPN and SHALL, within ninety (90) days of licensure, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Texas Board of Nursing.

(3) PETITIONER SHALL comply with all requirements of the TPAPN contract during its term.

(4) PETITIONER SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN contract.

IT IS FURTHER AGREED that, while PETITIONER remains in compliance with the terms of this Order, this Order shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should PETITIONER fail to successfully complete the terms of this Order or should PETITIONER commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

IT IS FURTHER AGREED, SHOULD PETITIONER fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or revocation of PETITIONER'S license(s) and nurse compact licensure privileges, if any, to practice nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application and/or petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application and/or petition, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of my potential ineligibility for licensure through peer assistance.

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 EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of my license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

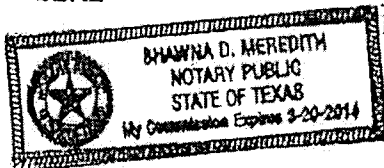
I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 15 day of Oct, 2013

Jamela C. Ivery  
JAMELA CHANEL IVERY, PETITIONER

Sworn to and subscribed before me this 15 day of October, 2013.

SEAL



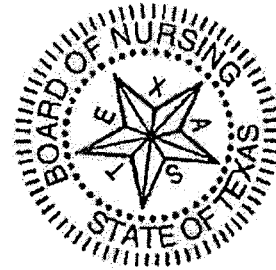
Shawna Meredith  
Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby ratify and adopt the Confidential Eligibility Agreed Order for Peer Assistance Program that was signed on the 15th day of October, 2013, by JAMELA CHA'NEL IVERY, PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this 24th day of October, 2013.



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



I certify this to be a true copy of the  
records on file with the Texas Board  
of Nursing.

Date:

11-1-2013

Signed:

Barbara Darling