



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 688714 §
issued to SHELLY ANN ROMAN §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHELLY ANN ROMAN, Registered Nurse License Number 688714, 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 November 18, 2019.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Agreed Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from Prairie View A&M College, Houston, Texas, on May 11, 2002. Respondent was licensed to practice professional nursing in the State of Texas on July 23, 2002.
5. Respondent's nursing employment history includes:

6/2002 – 6/2006	Registered Nurse	Memorial Hermann Houston, Texas
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Respondent's nursing employment history continued:

8/2006 – 3/2019	Registered Nurse	Katy Independent School District Katy, Texas
4/2019-7/2019	Unknown	
8/2019-Present	Registered Nurse	Columbus Independent School District Columbus, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Katy Independent School District, Katy, Texas, and had been in that position for eleven (11) years.
7. On or about August 22, 2017, while employed as a Registered Nurse with Katy Independent School District (KISD), Katy, Texas, and assigned to Memorial Parkway Junior High School, Katy, Texas, Respondent failed to use the Epipen for Student Number P1003679 appropriately, and stuck herself with the Epipen. When Respondent was preparing the Epipen, she held the Epipen upside down with her thumb resting on the end where the needle comes out from and stuck herself with the needle. Respondent's conduct was likely to injure the patient from a delay in treatment for allergic reaction the patient was experiencing.
8. On or about June 18, 2018, while employed as a Registered Nurse with Katy Independent School District (KISD), Respondent failed to ensure the appropriate and sterile lancet was used to obtain blood glucose for Student Number K1702212, in that Respondent accidentally stuck herself with the lancet, then stuck the student with the same needle and/or lancet. There was only one (1) lancet provided for blood glucose testing as student's parents had not provided any more to Respondent, so after Respondent stuck herself with the lancet, she wiped the needle with alcohol and used the same lancet to stick the student to obtain the blood glucose level. Respondent's conduct exposed the patient to a risk of infection and/or adverse reaction by using the same needle to obtain the blood glucose level.
9. On or about August 29, 2018, through February 20, 2019, while employed as a Registered Nurse with Katy Independent School District (KISD), Katy, Texas, Respondent failed to administer Adderall twice daily to Student Number K1526277, as ordered. There were seventeen (17) days when Respondent did not administer Adderall twice a day, as ordered, and one (1) day when Respondent administered only the morning dose, resulting in thirty-five (35) missed doses. Subsequently, the patient's family reported behavioral changes after thirty-five (35) missed doses of Adderall. Respondent's conduct was likely to injure

the patient in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment of the patient's condition.

10. On or about August 29, 2018, through February 20, 2019, while employed as a Registered Nurse with Katy Independent School District (KISD), Katy, Texas, Respondent failed to document on the Medication Administration Record (MAR) and Medication Log when Student K1526277 did not receive Adderall, as ordered. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care decision.
11. In response to the incident in Finding of Fact Number Seven (7), Respondent admits that she accidentally stuck herself with the needle of the Epipen while preparing to administer it to the student. In response to the incident in Finding of Fact Number Eight (8), Respondent admits she stuck herself with the lancet when obtaining the blood glucose level because the tester was backwards. In response to the incident in Finding of Fact Number Nine (9), Respondent admits that medication was not administered on several dates because Respondent interpreted the Student's Care Plan regarding medication administration to mean the student was to be more independent and responsible for remembering to go to the clinic for the medication, and did not need to be called by or reminded by the Respondent. In response to the incident in Finding of Fact Number Ten (10), Respondent admits there were some documentation deficiencies with tracking the student's receipt of medications, as well as concern regarding documenting missed doses on the medication log.
12. On June 9, 2020, Respondent completed a course in Sharpening Critical Thinking Skills, which would have been a requirement of this order.
13. On July 11, 2020, Respondent completed a course in Nursing Jurisprudence and Ethics, which would have been a requirement of this order.
14. On August 25, 2020, Respondent completed a course in Medication Administration with a 24-hour clinical component which would have been a requirement of this 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)(C),(1)(D),(1)(O)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(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 688714, heretofore issued to SHELLY ANN ROMAN.
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" and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order.

III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. 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.

- D. **Incident Reporting:** While employed as a Registered Nurse with Columbus Independent School District, Columbus, Texas, 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. **Direct Supervision:** Should Respondent's employment as a Registered Nurse with Columbus Independent School District, Columbus, Texas, cease or change, the following terms apply: 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.
- F. **Indirect Supervision:** Should Respondent's employment as a Registered Nurse with Columbus Independent School District, Columbus, Texas, cease or change, the following terms apply: For the second year 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.
- G. **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.

V. 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 13 day of January, 2021.

Shelly Roman RN
SHELLY ANN ROMAN, RESPONDENT

Sworn to and subscribed before me this _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

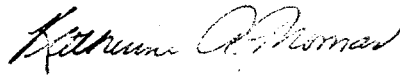
Approved as to form and substance.

Dan Lype
Dan Lype, Attorney for Respondent

Signed this 13 day of January, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 13th day of January, 2021, by SHELLY ANN ROMAN, Registered Nurse License Number 688714, and said Agreed Order is final.

Effective this 9th day of February, 2021.



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