

**In the Matter of
Permanent Vocational Nurse
License Number 225339
Issued to ALLEN WALLACE BELL,
Respondent**

**§ BEFORE THE TEXAS
§
§ BOARD OF NURSING
§
§ ELIGIBILITY AND
DISCIPLINARY COMMITTEE**

ORDER OF THE BOARD

TO: Allen Bell
106 Lakeview Hills Ln
Livingston, TX 77351

During open meeting held in Austin, Texas, on September 14, 2021, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN. CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 225339, previously issued to ALLEN WALLACE BELL to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 14th day of September, 2021

TEXAS BOARD OF NURSING

BY: _____



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

Attachment: Formal Charges filed July 8, 2021

d17r(2021.08.25)

Re: Permanent Vocational Nurse License Number 225339
Issued to ALLEN WALLACE BELL
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17 day of September, 2021, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested,
Copy Via USPS First Class Mail

Allen Bell
106 Lakeview Hills Ln
Livingston, TX 77351

BY: Katherine A. Thomas

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

**In the Matter of
Permanent Vocational Nurse
License Number 225339
Issued to ALLEN WALLACE BELL,
Respondent**

§
§
§
§
§
**BEFORE THE TEXAS
BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ALLEN WALLACE BELL, is a Vocational Nurse holding license number 225339 which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about August 26, 2020, while employed as a Licensed Vocational Nurse in the Emergency Department of Huntsville Memorial Hospital, Huntsville, Texas, Respondent withdrew Morphine, Ondansetron, and Sodium Chloride from the medication dispensing system for patients without a valid physician's order, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	Physicians' Orders
8/26/20	1611	TT H4017060	Morphine Sulfate 4mg/1 mL Vial (1)	None (Override)
8/26/20	1611	TT H4017060	Ondansetron (Zofran) 4 mg (2 mL) Vial (1)	None (Override)
8/26/20	1611	TT H4017060	Sodium Chloride 0.9% L (NS 1000 mL) Bag (1)	None (Override)

Respondent's conduct was likely to injure the patients, in that the administration of medications without a valid physician's order could result in the patient suffering from adverse reactions, and Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) and Chapter 483 (Dangerous Drugs Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(2) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(11)(B).

CHARGE II.

On or about August 26, 2020, while employed as a Licensed Vocational Nurse in the Emergency Department of Huntsville Memorial Hospital, Huntsville, Texas, Respondent withdrew Morphine,

Ondansetron, and Sodium Chloride from the medication dispensing system for patients but failed to document and/or accurately and completely document the administration of the medication in the patients' Medication Administration Record (MAR) and/or Nurses' Notes as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	MAR	Nurses' Notes
8/26/20	1611	TT H4017060	Morphine Sulfate 4mg/1 mL Vial (1)	None	None
8/26/20	1611	TT H4017060	Ondansetron (Zofran) 4 mg (2 mL) Vial (1)	None	None
8/26/20	1611	TT H4017060	Sodium Chloride 0.9% L (NS 1000 mL) Bag (1)	None	None

Respondent's conduct was likely to injure the patients, in that subsequent care givers would rely on his documentation to further medicate the patients, which could result in an overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) and Chapter 483 (Dangerous Drugs Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(C)&(1)(D) and 217.12(1)(A),(1)(B),(1)(C),(4)&(11)(B).

CHARGE III.

On or about August 26, 2020, while employed as a Licensed Vocational Nurse in the Emergency Department of Huntsville Memorial Hospital, Huntsville, Texas, Respondent withdrew Morphine, Ondansetron, and Sodium Chloride from the medication dispensing system for patients but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	Waste	Physicians' Orders	MAR	Nurses' Notes
8/26/20	1611	TT H4017060	Morphine Sulfate 4mg/1 mL Vial (1)	None	None (Override)	None	None
8/26/20	1611	TT H4017060	Ondansetron (Zofran) 4 mg (2 mL) Vial (1)	None	None (Override)	None	None
8/26/20	1611	TT H4017060	Sodium Chloride 0.9% L (NS 1000 mL) Bag (1)	None	None (Override)	None	None

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) and Chapter 483 (Dangerous Drugs Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §§217.11(1)(A)&(1)(B) and 217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

CHARGE IV.

On or about August 26, 2020, while employed as a Licensed Vocational Nurse in the Emergency Department of Huntsville Memorial Hospital, Huntsville, Texas, Respondent misappropriated one (1) vial of Morphine Sulfate 4mg/1ml, one (1) vial of Ondansetron 4mg/2ml, and one (1) bag of Sodium Chloride 0.9% belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients thereof of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(G),(8),(10)(E)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

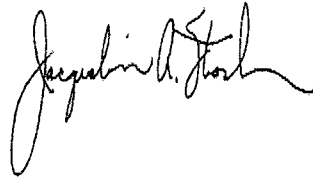
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.
CONTINUED ON NEXT PAGE.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

Filed this 8th day of July, 2021

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Deputy General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 24036103

Brian L. Miller, Jr., Assistant General Counsel
State Bar No. 24117478

JoAnna Starr, Assistant General Counsel
State Bar No. 24098463

Jacqueline A. Strashun, Assistant General Counsel
State Bar No. 19358600

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-8657
F: (512) 305-8101 or (512) 305-7401

D(2021.05.27)