

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  
REGISTERED NURSE LICENSE NUMBER 929314,  
ISSUED TO CATHERINE FRANCES WALTER

§  
§  
§

BEFORE THE TEXAS  
BOARD OF NURSING

**NUNC PRO TUNC ORDER OF THE BOARD**

An Agreed Order was entered for CATHERINE FRANCES WALTER on November 9, 2021. The Agreed Order, however, contained, in error, a duplicate remedial education course instead of the correct remedial education course. 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 that includes the correct list of remedial education courses. Respondent received due process regarding her license and she agreed to this correction; 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 November 9, 2021.

Entered this 18<sup>th</sup> day of November, 2021.

BY: *Katherine A. Thomas*

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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 929314 §  
issued to CATHERINE FRANCES WALTER §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CATHERINE FRANCES WALTER, Registered Nurse License Number 929314, 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 July 12, 2021.

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 Owens Community College, Toledo, Ohio, on December 1, 2009. Respondent was licensed to practice professional nursing in the State of Texas on August 10, 2017.
- 5. Respondent's nursing employment history includes:

6/2017 – 2/2020	Registered Nurse	Windcrest Nursing and Rehab Center, Fredericksburg, Texas
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Respondent's nursing employment history continued:

2/2020 - Present

Unknown

6. At the time of the incident, Respondent was employed as a Registered Nurse with Windcrest Nursing and Rehab Center, Fredericksburg, Texas, and had been in that position for two (2) years and six (6) months.
7. On or about December 26, 2019, January 9, 2020, and February 7, 2020, while employed as a Registered Nurse with Windcrest Nursing and Rehab Center, Fredericksburg, Texas, Respondent signed out four (4) tablets of Hydrocodone-Acetaminophen 7.5mg-325mg from the Individual Controlled Drug Record for resident C.P., and four (4) tablets of Hydrocodone-Acetaminophen 5mg-325mg from the Individual Controlled Drug Record for resident P.A., but failed to document and/or completely and accurately document the administration of the medications in the residents' Medication Administration Records and/or nurses' notes. Respondent's conduct was likely to injure the residents, in that subsequent care givers would rely on her documentation to further medicate the residents which could result in an overdose. Additionally, Respondent's conduct placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about December 26, 2019, January 9, 2020, and February 7, 2020, while employed as a Registered Nurse with Windcrest Nursing and Rehab Center, Fredericksburg, Texas, Respondent signed out four (4) tablets of Hydrocodone-Acetaminophen 7.5mg-325mg from the Individual Controlled Drug Record for resident C.P., and four (4) tablets of Hydrocodone-Acetaminophen 5mg-325mg from the Individual Controlled Drug Record for resident P.A., but failed to follow the facility's policy and procedures for wastage of the unused portions of the medications. Respondent's conduct left medications unaccounted for, was likely to deceive the facility pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
9. On or about December 26, 2019, January 9, 2020, and February 7, 2020, while employed as a Registered Nurse with Windcrest Nursing and Rehab Center, Fredericksburg, Texas, Respondent misappropriated four (4) tablets Hydrocodone-Acetaminophen 7.5mg-325mg from resident C.P., and four (4) tablets Hydrocodone-Acetaminophen 5mg-325mg for resident P.A., or failed to take precautions to prevent such misappropriation. Further, when confronted, Respondent told the Director of Nursing that Respondent administered the Hydrocodone-Acetaminophen tablets to two (2) other residents, resident LO and resident PR, who had run out of their Hydrocodone-Acetaminophen; however, the Individual Controlled Drug Records, the Medication Administration Records, and Nurses' Notes pertaining to residents LO and PR did not show any Hydrocodone-Acetaminophen being administered to them during the period in question. Respondent's conduct was likely to defraud the facility and residents of the cost of the medications.

10. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that she now understands her errors and that her intent was to serve her patients' pain needs under difficult, limited circumstances.
11. Formal Charges were filed on March 26, 2021.

### 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) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(G),(8),(10)(C),(10)(E)&(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 929314, heretofore issued to CATHERINE FRANCES WALTER.
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 **WARNING WITH STIPULATIONS AND FINE** 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. Until successfully completed, RESPONDENT may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- D. 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 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.
  
- D. **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. **MONETARY FINE**

RESPONDENT SHALL **pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of the effective date of this Order.**

Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

## VI. 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 four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Indirect Supervision:** RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years of experience in the same or similar practice setting to which the RESPONDENT is currently working. RESPONDENT SHALL work

only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- D. **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 four (4) quarters [one (1) year] of employment as a nurse.

**VII. SUBSEQUENT CRIMINAL PROCEEDINGS**

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

**VIII. 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.

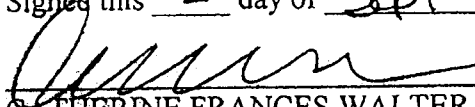
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RESPONDENT'S CERTIFICATION

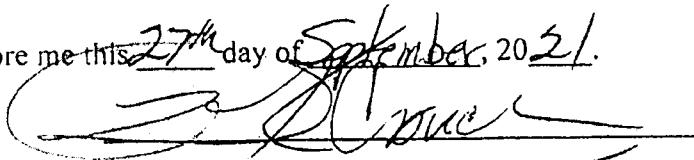
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, 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 27 day of Sept, 2021.

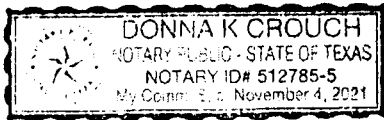
  
CATHERINE FRANCES WALTER, RESPONDENT

Sworn to and subscribed before me this 27<sup>th</sup> day of September, 2021.

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 27th day of September, 2021, by CATHERINE FRANCES WALTER, Registered Nurse License Number 929314, and said Agreed Order is final.

Effective this 9th day of November, 2021.



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



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED ORDER  
Registered Nurse License Number 929314 §  
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On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CATHERINE FRANCES WALTER, Registered Nurse License Number 929314, 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 July 12, 2021.

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 Owens Community College, Toledo, Ohio, on December 1, 2009. Respondent was licensed to practice professional nursing in the State of Texas on August 10, 2017.
5. Respondent's nursing employment history includes:

6/2017 – 2/2020	Registered Nurse	Windcrest Nursing and Rehab Center, Fredericksburg, Texas
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Respondent's nursing employment history continued:

2/2020 - Present

Unknown

6. At the time of the incident, Respondent was employed as a Registered Nurse with Windcrest Nursing and Rehab Center, Fredericksburg, Texas, and had been in that position for two (2) years and six (6) months.
7. On or about December 26, 2019, January 9, 2020, and February 7, 2020, while employed as a Registered Nurse with Windcrest Nursing and Rehab Center, Fredericksburg, Texas, Respondent signed out four (4) tablets of Hydrocodone-Acetaminophen 7.5mg-325mg from the Individual Controlled Drug Record for resident C.P., and four (4) tablets of Hydrocodone-Acetaminophen 5mg-325mg from the Individual Controlled Drug Record for resident P.A., but failed to document and/or completely and accurately document the administration of the medications in the residents' Medication Administration Records and/or nurses' notes. Respondent's conduct was likely to injure the residents, in that subsequent care givers would rely on her documentation to further medicate the residents which could result in an overdose. Additionally, Respondent's conduct placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
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### CONCLUSIONS OF LAW

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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) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(G),(8),(10)(C),(10)(E)&(11)(B).
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### TERMS OF ORDER

#### **I. SANCTION AND APPLICABILITY**

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- 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.

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## II. COMPLIANCE WITH LAW

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methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.

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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 four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) 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.

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**VII. SUBSEQUENT CRIMINAL PROCEEDINGS**

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

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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

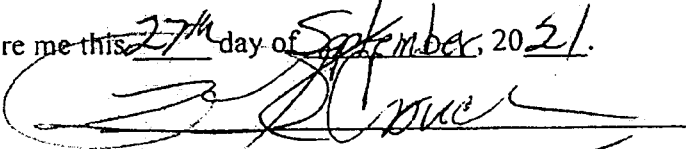
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order,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

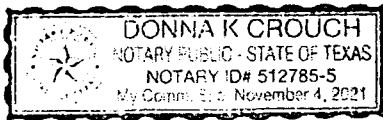
Signed this 27 day of Sept, 2021.

  
CATHERINE FRANCES WALTER, RESPONDENT

Sworn to and subscribed before me this 27<sup>th</sup> day of September, 2021.

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 27th day of September, 2021, by CATHERINE FRANCES WALTER, Registered Nurse License Number 929314, and said Agreed Order is final.

Effective this 9th day of November, 2021.



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