



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 508103 §
issued to MARILYN FREEMAN LOUDEN §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARILYN FREEMAN LOUDEN, Registered Nurse License Number 508103, 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)(effective 08/31/2021), 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 19, 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 a Diploma in Nursing from Methodist Hospital, Lubbock, Texas, on May 1, 1983. Respondent was licensed to practice professional nursing in the State of Texas on August 30, 1983.

5. Respondent's nursing employment history includes:

1983 – 1985	OR Charge RN	St. Mary's of the Plains Hospital Lubbock, Texas
-------------	--------------	---

Respondent's nursing employment history continued:

1985 – 1989	OR RN	Methodist Hospital Lubbock, Texas
1990 – 2016	RN	BSA Hospital Amarillo, Texas
2016 – 2017	RN Case Manager	BSA Hospice of the Southwest Amarillo, Texas
2018 – 2018	Unknown	Unknown
1/2019 – 5/2020	RN	Open Heart Hospice Amarillo, Texas
6/2020 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse (RN) with Open Heart Hospice, Amarillo, Texas, and had been in that position for one (1) year and one (1) month.
7. On or about February 17, 2020, while employed as a Registered Nurse (RN) with Open Heart Hospice, Amarillo, Texas, Respondent ordered Thorazine for Patient Number 2020373 without prior authorization from the patient's treating physician and/or Respondent failed to document her collaboration with the physician. Respondent's conduct created an incomplete medical record and could have caused the patient to suffer from adverse reactions, though the patient did not suffer any adverse reactions.
8. On or about March 6, 2020, while employed as a Registered Nurse (RN) with Open Heart Hospice, Amarillo, Texas, Respondent inappropriately instructed the hospice aides to spray Patient Number 2020373 with cold water to determine the status of patient's change in condition. Respondent's conduct may have exposed the patient to a risk of mental and emotional harm, and could have contributed to the patient's end-of-life anxiety and pain.
9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that there is a physician's order for Thorazine in the patient's chart; however, Respondent admits she did not document her communication with the physician prior to ordering it. Respondent explains that the patient was a constant challenge and had been demanding a shower all morning. Respondent states that she was told by facility staff that when the patient was placed in his shower chair, his eyes rolled back in his head, he went limp, and got very quiet. Respondent states she immediately assessed the patient because he had been hypotensive before; however, Respondent states that upon her assessment, his eyes were tightly closed and he was sitting up with perfect posture, rather than slumped over.

Respondent admits she could have performed a sternal rub, but it would have been painful and the patient had a history of being aggressive towards staff. Respondent states she wrote a note and instructed the hospice aide to spray the patient with cold water to see if he was faking his symptoms. Respondent states that once the cold water was turned on, the patient immediately responded, saying that the water was cold.

10. Formal Charges were filed on November 10, 2020.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D),(1)(P)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B), (1)(C),(4)&(6)(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13) (effective through 08/31/2021), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 508103, heretofore issued to MARILYN FREEMAN LOUDEN.
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** and RESPONDENT'S license(s), and any privilege(s) to practice, as applicable, shall be placed in **INACTIVE** status.

Should RESPONDENT decide in the future to reactivate his/her license(s) to practice nursing in the State of Texas, RESPONDENT SHALL be required to petition the

Board for reactivation of the license and satisfy all then existing requirements for reactivation. Further, RESPONDENT'S reactivated license(s) SHALL BE subject to, at a minimum, the remedial education courses, work restrictions, supervised practice, and employer reporting which would have been requirements of this Order had RESPONDENT not chosen to inactivate his/her nursing license(s).

Until such time that RESPONDENT'S license(s) to practice nursing in the State of Texas is/are reactivated, RESPONDENT SHALL NOT use a Privilege to Practice Nursing in the State of Texas from any Nurse License Compact member state.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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. I further understand that, should I decide in the future to reactivate my license(s), I will be required to satisfy, at a minimum, the additional requirements that would have been part of this Order had the license(s) not been placed in inactive status, as stated herein, as well as all then existing requirements for reactivation.

Signed this 21 day of OCTOBER, 2021.

Marilyn Freeman Louden
MARILYN FREEMAN LOUDEN, RESPONDENT

Sworn to and subscribed before me this 21st day of October, 2021.

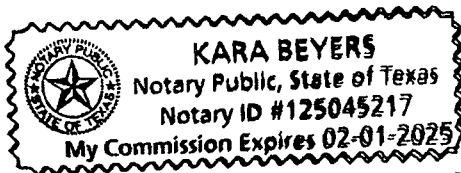
SEAL

Kara Beyers

Notary Public in and for the State of Texas

Approved as to form and substance.

Brad Howard
Brad Howard, Attorney for Respondent



Brittany Hinton
Signed this 21st day of October, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 21st day of October, 2021, by MARILYN FREEMAN LOUDEN, Registered Nurse License Number 508103, and said Agreed Order is final.

Effective this 14th day of December, 2021.



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