



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 § REINSTATEMENT
Registered Nurse License Number 661942 § AGREED ORDER
issued to EDITH MICHELLE TOLIVER (CROWELL) §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement of Patient Care Privileges, hereinafter referred to as the Petition, of Registered Nurse License Number 661942, held by EDITH MICHELLE TOLIVER (CROWELL), hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on April 18, 2023.

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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Agreed Order.
3. Petitioner's license to practice as a professional nurse in the State of Texas is in current status.
4. Petitioner received a Baccalaureate Degree from Stephen F. Austin State University, Nacogdoches, Texas, on May 1, 1999. Petitioner was licensed to practice professional nursing in the State of Texas on July 8, 1999.
5. Petitioner's nursing employment history includes:

7/99 – 5/17	RN	The Methodist Hospital Houston, Tx
5/15 – 9/15	RN	Texas Children’s hospital Pavilion for Women Houston, Texas

Petitioner's nursing employment history continued:

10/15 – 7/18	Unknown	
7/18 – 6/19	RN	Hug Away Home Health Katy, Texas
11/18 – 1/19	Travel RN	Memorial Hermann Hospital Houston, Texas
6/19 – Present		Not Employed in Nursing

6. On or about February 14, 2017, Petitioner was issued the sanction of Limited License with Stipulations through an Order of the Board. A copy of the February 14, 2017, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about January 26, 2023, Petitioner submitted a Petition for Reinstatement of Patient Care Privileges to practice nursing in the State of Texas.
8. Petitioner has not been permitted to provide patient care since the issuance of the Limited License with Stipulations. As a result, Petitioner has not been able to adequately demonstrate that nursing practice does not continue to pose a risk of harm to patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. On or about January 26, 2023, Petitioner submitted a Petition for Reinstatement of Patient Care Privileges to practice nursing in the State of Texas.
3. This Agreed Order is made pursuant to Sections 301.453(c), Texas Occupations Code and 22 TEX. ADMIN. CODE §211.7(h).
4. 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.
5. 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).

6. 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. REINSTATEMENT OF PATIENT CARE PRIVILEGES AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of EDITH MICHELLE TOLIVER (CROWELL) for reinstatement of patient care privileges in the State of Texas be **GRANTED** and the sanction of Limited License with Stipulations previously issued to PETITIONER is hereby **LIFTED** and patient care privileges restored, subject to the remaining requirements of this Order, and:

- A. Until successfully completed, this Order SHALL apply to any and all future licenses issued to PETITIONER to practice nursing in the State of Texas.
- B. Until successfully completed, this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Until successfully completed, PETITIONER 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, PETITIONER'S license(s) will be designated "single state" as applicable and PETITIONER 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, PETITIONER 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. SUPERSEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Agreed Order SHALL supersede all previous stipulations required by any Order entered by the Texas Board of Nursing.

IV. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, PETITIONER 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, PETITIONER must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

V. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER 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 PETITIONER 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 "Righting a Wrong,"** a 3.0 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) International Center for Regulatory Scholarship (ICRS).

In order to receive credit for completion of this/these course(s), PETITIONER 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. PETITIONER 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.*

VI. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, PETITIONER 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:** PETITIONER 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, PETITIONER 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:** PETITIONER 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. PETITIONER 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, PETITIONER 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 PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **Indirect Supervision:** For the remainder of the stipulation/probation period, PETITIONER 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 PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- E. **Nursing Performance Evaluations:** PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the individual who supervises the PETITIONER 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.

VII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from PETITIONER'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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I have reviewed this Agreed Order. I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. By my signature on this Agreed Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Agreed Order is subject to ratification by the Board. When this Agreed Order is ratified, the terms of this Agreed Order become effective, and a copy will be mailed to me.

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 REVOCATION of my license(s) and/or nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

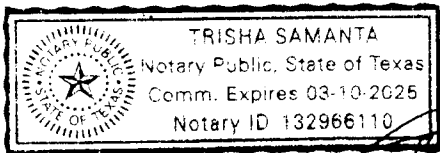
Signed this 3 day of May, 2023.
EMC
EDITH MICHELLE TOLIVER(CROWELL),
PETITIONER

Sworn to and subscribed before me this 03 day of MAY, 2023.

SEAL

Trisha Samanta

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 3rd day of May, 2023, by EDITH MICHELLE TOLIVER(CROWELL), Registered Nurse License Number 661942, and said Agreed Order is final.

Effective this 13th day of June, 2023.



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

In the Matter of § AGREED
Registered Nurse License Number 661942 §
issued to EDITH MICHELLE CROWELL § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of EDITH MICHELLE CROWELL, Registered Nurse License Number 661942, 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 Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 14, 2016.

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 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 Stephen F. Austin State University, Nacogdoches, Texas on May 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on July 8, 1999.
5. Respondent's nursing employment history includes:

07/1999 - 05/2015	Registered Nurse	The Methodist Hospital Houston, Texas
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Respondent's nursing employment history continued:

05/2015 - 09/2015	Registered Nurse	Texas Children's Hospital The Pavilion for Women Houston, Texas
10/2015 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Texas Children's Hospital, The Pavilion for Women, Houston, Texas, and had been in that position for three (3) months.
7. On or about August 12, 2015, while employed as a Registered Nurse with Texas Children's Hospital-The Pavilion for Women, Houston, Texas, Respondent removed Morphine from the Medication Dispensing System for Patient Medical Record Number 3001210492, but failed to follow the facility's policy and procedure for the wastage of the unused portions of the medication. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
8. On or about August 12, 2015, while employed as a Registered Nurse with Texas Children's Hospital-The Pavilion for Women, Houston, Texas, Respondent violated the boundaries of the nurse/client relationship in that she discussed her personal life, including family issues, and unhappiness with her job with a patient. Respondent was observed to be crying in the patient's room and requested the patient's phone number to discuss a job opportunity. Subsequently, the patient became uncomfortable and requested another nurse. Respondent's conduct was likely to injure the patient in that it could have resulted in confusion between the needs of the nurse and those of the patient. In addition, Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
9. On or about August 25, 2015, while employed as a Registered Nurse with Texas Children's Hospital-The Pavilion for Women, Houston, Texas, Respondent failed to obtain a blood glucose level for Patient Medical Record Number 3001766298 prior to the patient eating lunch and failed to administer Insulin to the patient as ordered by the physician. Respondent's conduct was likely to injure the patient in that failure to administer insulin as ordered by the physician could have resulted in non-efficacious treatment.
10. On or about September 5, 2015, while employed as a Registered Nurse with Texas Children's Hospital-The Pavilion for Women, Houston, Texas, Respondent withdrew Phenergan from the Medication Dispensing System for Patient Medical Record Number 3001538289 but failed to follow the facility's policy and procedure for the wastage of the unused portions of the medications. Respondent's conduct was likely to deceive the hospital pharmacy and

placed them in violation of Chapter 483 of the Texas Health and Safety Code (Dangerous Drug Act).

11. On or about September 5, 2015, while employed as a Registered Nurse with Texas Children's Hospital-The Pavilion for Women, Houston, Texas, Respondent mislabeled a blood specimen with the incorrect patient label. As a result the specimen had to be recollected. Respondent's conduct exposed the patient unnecessarily to a risk of harm from medical complications and delayed processing of the specimen.
12. In response to Finding of Fact Number Seven (7), Respondent states: "I received an alert from the unit secretary stating my patient was requesting pain medication. I withdrew a 2mg vial from the Omnicell, assessed that patient's pain, and drew up the entire 2mg in front of the patient and her husband. Right before scanning her armband and vial/administration, the patient voiced concerns and confusion about her pain regimen in regards to what was best for her and her baby. I suggested that we give just 1mg of the Morphine and reassess in an hour. Instead of holding the 1mg I disposed of it in the sink, not wanting the family to have any doubts as to what happened to the Morphine. This was after looking out of my patients room twice, not seeing anyone available to witness for me."

In response to Finding of Fact Number Nine (9), Respondent states: "The patient was hypoglycemic when admitted to the unit from the Emergency Room (ER). The basic metabolic panel was drawn in the ER around 1630 and showed a reading in the 60's. This was not communicated to me by the ER nurse. I was concerned and asked the nursing assistant to recheck the sugar. It was 88. I was told that the blood sugar did not interface from the glucometer to the chart. The night nurse was told of the readings. I wanted to be very cautious the next day and monitor appropriately. The patient was monitored and assessed very closely, and blood sugars were obtained throughout my shift."

In response to Finding of Fact Number Ten (10), Respondent states: "I was seconds from administering the medication when the patient began vomiting. All pumps were alarming and assistance was immediately rendered to the patient. After getting her cleaned up, comfortable, and settled, I was looking for the phenergan and realized when I was picking up things that had fallen on the floor. I had accidentally threw it in the sharps container along with the flushes I had used when the pumps were alarming."

In response to Finding of Fact Number Eleven (11), Respondent states: "In this situation, the requisition order and patient were checked and were correct, however the sticker placed on the tube was incorrect."

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)(J) & (3) and 22 TEX. ADMIN. CODE § 217.12(1)(A), (1)(B), (4), (6)(C), (10)(C) & (11)(D).
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 661942, heretofore issued to EDITH MICHELLE CROWELL, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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 **LIMITED LICENSE WITH STIPULATIONS** in accordance with the terms of this Order.

- A. While under the terms of this Order, **RESPONDENT SHALL NOT provide direct patient care.** For the purposes of this Order, direct patient care involves a personal relationship between the nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.
- B. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- C. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

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 Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

III. 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 entry of this Order**:

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 courses and video programs will not be approved.

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.*

IV. RESTORATION OF PATIENT CARE PRIVILEGE AND/OR UNENCUMBERED LICENSE(S)

SHOULD RESPONDENT desire to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all

then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before re-issuance of an unencumbered license, which, at a minimum, shall include the remedial education courses, work restrictions, supervised practice, and/or employer reporting which would have been requirements of this Order had the license(s) not been placed in limited status.

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RESPONDENT'S CERTIFICATION

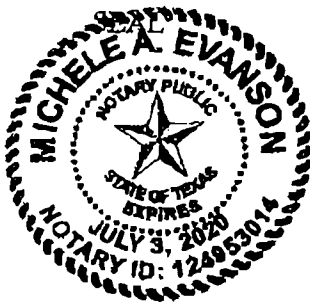
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. 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) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 24 day of January, 2017.

Edith Crowell
EDITH MICHELLE CROWELL, Respondent

Sworn to and subscribed before me this 24th day of January, 2017.

Michelle A. Evanson
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 24th day of January, 2017, by EDITH MICHELLE CROWELL, Registered Nurse License Number 661942, and said Order is final.

Effective this 14th day of February, 2017.



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