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Kristin K. Benton, DNP, RN
Executive Director
Texas Board of Nursing

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 539286 §
issued to MARVA LYN DIX §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARVA LYN DIX, Registered Nurse License Number 539286, 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 through August 31, 2021), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Kristin K. Benton, DNP, RN, Executive Director, on September 28, 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 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 St. John's Hospital School of Nursing, Springfield, Missouri, on June 1, 1971. Respondent was licensed to practice professional nursing in the State of Texas on July 27, 1987.
- 5. Respondent's nursing employment history includes:

7/1987 - 1991 Unknown

Respondent's nursing employment history continued:

1991 - 1993	RN	Pediatric Home Care Amarillo, Texas
1993-1995	RN	Oxford Home Health Care Springfield, Missouri
1994 -- 1996	RN	Cox Medical Center South Springfield, Missouri
1996 – 1998	RN	Mercy Medical Center South Cedar Rapids, Iowa
1997 -- 1999	RN	IDPH/Child Care Resource and Referral Davenport, Iowa
2000 -- 2005	RN	Barnett Junior High Arlington, Texas
2005 – 2012	RN	NWTHS Pediatrics Amarillo, Texas
2009 – 2015	RN	Children's Home Health Care Amarillo, Texas
01/2016 – 02/2019	Unknown	
03/2019 -- 09/2019	RN	Angels of Care Amarillo, Texas
10/2019 – 03/2020	Unknown	
04/2020 – 09/2020	RN	Aveanna Healthcare Amarillo, Texas
10/2020 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Aveanna Healthcare, Amarillo, Texas, and had been in that position for four (4) months.

7. On or about August 25, 2020, while employed as a Registered Nurse with Aveanna Healthcare, Amarillo, Texas, and assigned to provide care to Patient H.M., Respondent left her nursing assignment without notifying a supervisor and/or reporting off to another nurse or caregiver. Respondent's conduct exposed the patient unnecessarily to risk of harm in that leaving the nursing assignment could have resulted in the patient not getting the care needed.
8. In response to Finding of Fact Number Seven (7), Respondent admits to leaving her assignment without notifying the mother of patient. She states the mother was in the other room with her twins, sleeping. Respondent states she clocked out around 5:02pm and she went to wake her up. She states at the time she was using public transportation and she was scheduled to be picked up between 5:00pm – 5:20pm. She states the twins' room was across from the patients, and she knocked lightly on the door three times, not wanting to wake the twins. Respondent states she opened the door slightly and softly called the mother's name. Respondent states the mother stirred, thinking she was getting up. Respondent states she stayed in the patient's room until 5:15pm. Respondent states the bus arrived and she had to leave or else she would miss her ride home. She states she checked on the patient once more and she was safely swaddled in the middle of the twin-sized bed. Respondent states she left the patient's door open as well as the twins' door. She states she knew if the patient began to cry, the mother would hear her. Respondent states she showed up for her shift the next day and the mother was upset but allowed her to stay for her shift.
9. Formal Charges were filed on February 22, 2022.

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)(I) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(12).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), (*effective through August 31, 2021*), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 539286, heretofore issued to MARVA LYN DIX.
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 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.

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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. 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.

Marva Lyn Dix
Signed this 23 day of October, 2023.

MARVA LYN DIX, RESPONDENT

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

SEAL

Notary Public in and for the State of _____

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 23rd day of October, 2023, by MARVA LYN DIX, Registered Nurse License Number 539286, and said Agreed Order is final.

Effective this 14th day of November, 2023.

Kristin K. Benton, DNP, RN

Kristin K. Benton, DNP, RN
Executive Director on behalf
of said Board