



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, MN, RN  
Executive Director  
Texas Board of Nursing

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED ORDER  
Registered Nurse License Number 597738 §  
issued to LUCITA F. JOHNSON §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LUCITA F. JOHNSON, Registered Nurse License Number 597738, 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)&(14)[effective 9/1/2021], 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 August 17, 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 delinquent status.
4. Respondent received a Diploma in Nursing from Ortanez University, Tuezon City, Philippines, on March 30, 1974. Respondent received a Bachelor of Science in Nursing from Manila Central University, Caloocan City, Philippines, on October 14, 1975. Respondent was licensed to practice professional nursing in the State of Texas on September 20, 1993.
5. Respondent's nursing employment history includes:
 

9/1993 – 1/1994	Unknown
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Respondent's nursing employment history continued:

2/1994 – 4/1996	Registered Nurse	Arlington Memorial Hospital Arlington, Texas
5/1996 – 12/1998	Unknown	
1/1999 – 12/2021	Registered Nurse	Arlington Independent School District Arlington, Texas
1/2022 – Present	Unknown	

6. At the time of the incidents, Respondent was employed as a Registered Nurse with Arlington Independent School District, Arlington, Texas, and had been in that position for twenty-two (22) years and nine (9) months.
7. On or about October 19, 2021, while employed as a Registered Nurse at Arlington Independent School District, Arlington, Texas, Respondent failed to appropriately intervene for Pediatric Patient SC when he presented to the clinic on two (2) separate occasions complaining of shortness of breath. Instead, Respondent administered Albuterol, which had expired in March of 2020, via nebulizer without a physician order and/or a signed parental consent. Further, Respondent failed to notify the patient's family after the pediatric patient requested a ride home from school due to unresolved shortness of breath; instead, the pediatric patient was sent to walk home. Respondent's conduct was likely to injure the pediatric patient in that failure to administer unexpired medication as ordered by the physician could have resulted in non-efficacious treatment and exposed the pediatric patient to a risk of harm from potentially adverse complications of shortness of breath.
8. On or about October 19, 2021, while employed as a Registered Nurse at Arlington Independent School District, Arlington, Texas, Respondent failed to completely and accurately document three (3) separate clinic visits for Pediatric Patient SC who she treated for complaints of a headache and asthma. Respondent's conduct created an incomplete medical record and was likely to harm the pediatric patient in that subsequent caregivers would rely on her documentation to provide further care.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states the patient came to the clinic for the 3rd time and told her he needed a ride home as he was having shortness of breath even after using his inhaler. Respondent states the patient had wheezing when both lungs were auscultated. Respondent states with the Asthma 411 program in mind, she gave him the Albuterol Inhaler Rx and tried calling his mother again. Respondent explains that she used to give Albuterol that the parents provided before the implementation of the program; however, once the program was implemented then nurses were given Albuterol to use as a nebulizer treatment for students

with a history of asthma. Respondent explains nurses were to return unused Albuterol to the Health Coordinator at the end of the year, but due to changes with COVID an unused Albuterol was left in the medication cabinet. Respondent states she could have done better in her documentation but was completing charting after school hours and was tired that day.

### 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),(1)(M),(1)(P)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)(1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(14)*[effective 9/1 2021]*, Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 597738, heretofore issued to LUCITA F. JOHNSON.
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.

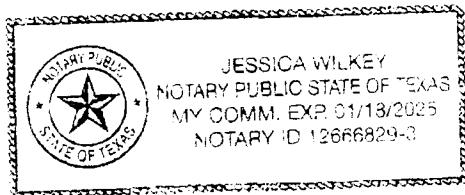
Signed this 15<sup>th</sup> day of October, 2023.

Lucita F. Johnson  
LUCITA F. JOHNSON, RESPONDENT

Sworn to and subscribed before me this 7<sup>th</sup> day of October, 2023.

SEAL

Jessica Wilkey  
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 7th day of October, 2023, by LUCITA F. JOHNSON, Registered Nurse License Number 597738, and said Agreed Order is final.

Effective this 14th day of November 2023.

*Kristin K. Benton, DNP, RN*

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