



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 Vocational Nurse	§	AGREED
License Number 145395	§	
issued to KIMBERLY KAY LILLICH	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of KIMBERLY KAY LILLICH, Vocational Nurse License Number 145395, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 19, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

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.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Tyler Junior College, Jacksonville, Texas, on August 20, 1993. Respondent was licensed to practice vocational nursing in the State of Texas on December 1, 1993.
5. Respondent's vocational nursing employment history includes:

12/93-12/96	Unknown
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Respondent's vocational nursing employment history continued:

01/97-06/97	LVN	Collom & Carney Clinic Association Texarkana, Texas
07/97-01/98	LVN	Office of Dr. James L. Graham Kerrville, Texas
02/98	Unknown	
03/98-05/98	LVN	Scott & White Clinic Temple, Texas
06/98-10/98	Unknown	
11/98-07/00	LVN	Scott & White Clinic College Station, Texas
08/00-11/00	LVN	St. Joseph Regional Health Center Bryan, Texas
11/00-06/01	LVN	Scott & White Clinic College Station, Texas
07/01-09/02	LVN	St. Joseph Regional Health Center Bryan, Texas
09/02-11/03	LVN	Scott & White Clinic College Station, Texas
12/03-02/04	Unknown	
03/04-09/06	LVN	Amarillo Dermatology Amarillo, Texas
10/06-02/07	LVN	Neurorestorative Specialty Services Tyler, Texas
03/07-Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Neurorestorative Specialty Services, Tyler, Texas, and had been in this position for approximately three (3) months.

7. On or about November 10, 2006, while employed as a License Vocational Nurse with Neurorestorative Specialty Services, Tyler, Texas, Respondent established a nurse-patient relationship with Patient B.C., in that Respondent had provided nursing care to the Patient.

On or about January 5, 2007, while employed as a License Vocational Nurse with Neurorestorative Specialty Services, Tyler, Texas, Respondent violated professional boundaries of the nurse/client relationship in that she gave Patient B.C. a gift and her personal cell phone number upon his release from the Neurorestorative Specialty Services.

Respondent's conduct was likely to injure the patient in that a boundary violation can cause delayed distress for the patient which may not be recognized or felt by the patient until harmful consequences occur.

8. On or about January 2007, while employed as a License Vocational Nurse with Neurorestorative Specialty Services, Tyler, Texas, Respondent violated professional boundaries of the nurse/client relationship in that she called Patient B.C. daily, while the patient was receiving treatment at Touchstone Neurorecovery Center, Conroe, Texas. Respondent's conduct was likely to injure the patient in that a boundary violation can cause delayed distress for the patient which may not be recognized or felt by the patient until harmful consequences occur.

9. On or about January 2007, while employed as a License Vocational Nurse with Neurorestorative Specialty Services, Tyler, Texas, Respondent violated professional boundaries of the nurse/client relationship in that she formed and sustained an inappropriate relationship with Patient B.C. Respondent's conduct was likely to injure the patient in that a boundary violation can cause delayed distress for the patient which may not be recognized or felt by the patient until harmful consequences occur.

10. In response to Findings of Facts Numbers Seven (7) through Nine (9), Respondent admits that Patient BC was a patient under her care during his stay at Neurorestorative Specialty Services, from 11/10/06-01/05/07. Upon his discharge, she admits to giving him a \$5 teddy bear and card from the hospital's gift shop. She wished him well in his recovery (he sustained head injuries from a motorcycle crash), and wrote her work and cell phone numbers so he could contact her and let her know how he was coping with the transition. Respondent admits to calling the Patient to check on him at the new facility. She also admits to calling more frequently on the weekends, at the Patient's request, since there was no therapy or family available for support then.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(J), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B)&(6)(D).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 145395, heretofore issued to KIMBERLY KAY LILLICH, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL 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.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to KIMBERLY KAY LILLICH to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(2) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). RESPONDENT SHALL pay this fine within forty-five (45) days of entry 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.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Respecting Professional Boundaries," a 3.9 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address:*
<http://www.learningext.com/products/generalce/boundaries/boundariesabout.asp>.

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address:*
<http://www.learningext.com/products/generalce/critical/ctabout.asp>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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 violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 revocation of my license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 13th day of FEBRUARY, 2009.

Kimberly Kay Lillich

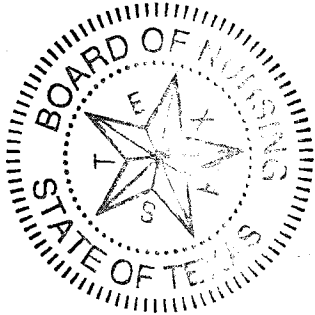
KIMBERLY KAY LILLICH, Respondent

Sworn to and subscribed before me this 13th day of FEBRUARY, 2009.



[Signature]
Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 13th day of February, 2009, by KIMBERLY KAY LILLICH, Vocational Nurse License Number 145395, and said Order is final.



Effective this 19th day of February, 2009.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", written over a horizontal line.

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