

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 651310 § AGREED
& Vocational Nurse License Number 163160 §
issued to KJERSTI SATTERWHITE § ORDER



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

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KJERSTI SATTERWHITE, Registered Nurse License Number 651310 and Vocational Nurse License Number 163160, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(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 October 12, 2010, 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 licenses.
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 professional nursing in the State of Texas. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Frank Phillips College, Borger, Texas, on May 15, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on July 18, 1997. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas, on May 1, 1998. Respondent was licensed to practice professional nursing in the State of Texas on June 16, 1998.

5. Respondent's nursing employment history includes:

08/97 - 03/03	Unknown	
04/03 - 11/07	RN	Peterson Regional Memorial Hospital Kerrville, TX
11/07 - 07/08	RN	Peterson Regional Hospital District Kerrville, TX
10/08 - 05/09	RN	Hill Country Memorial Hospital Fredericksburg, TX
06/09 - Current	Unknown	

6. On or about April 1, 2009, Respondent was issued an Agreed Order by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order, dated April 1, 2009, is attached and incorporated, by reference, as part of this Order.
7. At the time of the incident, Respondent was employed as a Registered Nurse with Hill Country Memorial Hospital, Fredericksburg, Texas, and had been in this position for approximately seven (7) months.
8. On or about May 1, 2009, through May 16, 2009, while employed as a Registered Nurse with Hill Country Memorial Hospital, Fredericksburg, Texas, Respondent withdrew medication from the medication dispensing system (OmniCell) for patients in excess of, or without valid physicians' orders. Respondent's conduct was likely to injure the patient in that the administration of narcotics in excess of, or without physicians' orders, could result in the patient suffering from adverse reactions.
9. On or about May 1, 2009, through May 16, 2009, while employed as a Registered Nurse with Hill Country Memorial Hospital, Fredericksburg, Texas, Respondent withdrew medication from the medication dispensing system (OmniCell) for patients, but failed to document, or accurately document, including the signs, symptoms and responses to the narcotics administered in the medical records. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.
10. On or about May 1, 2009, through May 16, 2009, while employed as a Registered Nurse with Hill Country Memorial Hospital, Fredericksburg, Texas, Respondent withdrew medication from the medication dispensing system (OmniCell) for patients, but failed to properly waste unused portions, if any, 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).

11. On or about May 1, 2009, through May 16, 2009, while employed as a Registered Nurse with Hill Country Memorial Hospital, Fredericksburg, Texas, Respondent misappropriated, or failed to take precautions to prevent such misappropriation, of medication. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.
12. On or about May 16, 2009, while employed as a Registered Nurse with Hill Country Memorial Hospital, Fredericksburg, Texas, Respondent engaged in the intemperate use of Morphine and Vicodin in that she admitted to using Morphine and Vicodin. Additionally, Respondent admitted that she had an addiction to Morphine, Vicodin, and Ultram. Possession of Morphine, Vicodin, and Ultram without a lawful prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Morphine, Vicodin, and Ultram by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.
13. In response to Finding of Fact Numbers Eight (8) through Twelve (12), Respondent admits to diverting medications from patients for her own personal use. Respondent states that she developed an addiction to pain medication after multiple back surgeries. Respondent states that she completed a thirty (30) day treatment program at Starlite Recovery Center in Center Point, Texas, and was participating in intensive out-patient counseling sessions. Additionally, Respondent states that she is working closely with her psychiatrist, psychologist, and physician, who has developed in a management program that requires random urine drug screens and AA meeting requirements for a three (3) year period.
14. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
15. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.

3. The evidence received is sufficient to prove violation of Section 301.452(b)(9),(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C)&(D)(iv), and 22 TEX. ADMIN. CODE §217.12(1)(A),(4),(6)(G),(10)(B)&(C)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 651310 and Vocational Nurse License Number 163160, heretofore issued to KJERSTI SATTERWHITE, including revocation of Respondent's licenses to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep her licenses to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's licenses and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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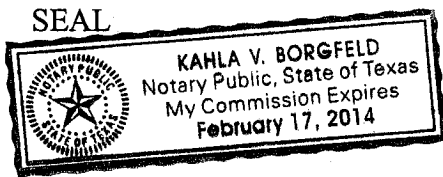
RESPONDENT'S CERTIFICATION

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 violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12 day of November, 2010.

Kjersti Satterwhite
KJERSTI SATTERWHITE, Respondent

Sworn to and subscribed before me this 12th day of November, 2010.



Kahla V. Borgfeld
Notary Public in and for the State of 2-17-14

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 12th day of November , 20 10 , by KJERSTI SATTERWHITE, Registered Nurse License Number 651310 and Vocational Nurse License Number 163160, and said Order is final.



Entered and effective this 17th day of Nov., 2010.

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

BEFORE THE BOARD OF NURSING
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse License Number 651310 § AGREED
and Vocational Nurse License Number 163160 § ORDER
issued to KJERSTI SATTERWHITE

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KJERSTI SATTERWHITE, Registered Nurse License Number 651310 and Vocational Nurse License Number 163160, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b),(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on July 16, 2007, 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 conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent's license to practice vocational nursing in the State of Texas is currently in "delinquent" status.
4. Respondent received a Certificate in Nursing from Frank Phillips College, Borger, Texas, on May 15, 1997. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas, on May 1, 1998. Respondent was licensed to practice vocational nursing in the State of Texas on July 18, 1997. Respondent was licensed to practice professional nursing in the State of Texas on June 16, 1998.
5. Respondent's nursing employment history is unknown.

6. On or about September 29, 2003, Respondent entered a plea of Guilty and was convicted of ISSUANCE OF A BAD CHECK (a lesser included Class C misdemeanor offense committed on April 5, 2003), in the County Court In and For Potter County, Texas, under Cause No. 104156-P. As a result of the conviction, Respondent was ordered to pay a fine and court costs.
7. On or about June 24, 2004, Respondent submitted an Online Renewal for Registered Nurses to the Texas Board of Nurse Examiners in which she provided false, deceptive, and/or misleading information, in that she answered "NO" to the following question:

"Since issuance or last renewal, have you plead guilty(including no contest plea), been found guilty or convicted of any felony or misdemeanor other than a minor traffic violation?"

On or about September 29, 2003, Respondent was convicted of the Misdemeanor Class C offense of Issuance of a Bad Check, in the County Court, Potter County, Amarillo, Texas, Cause Number 104156-P.

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 302.402(a)(10), Texas Occupations Code (effective September 1, 2001), Section 301.452(b)(2)&(10), Texas Occupations Code (effective September 1, 2003), and of 22 TEX. ADMIN. CODE §239.11(8)&(29)(A)(effective September 1, 1993), and 22 TEX. ADMIN. CODE §217.12(1) &(22)(effective September 1, 1999).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 651310 and Vocational Nurse License Number 163160, heretofore issued to KJERSTI SATTERWHITE, including revocation of Respondent's license to practice nursing in the State of Texas.

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ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nursing, that RESPONDENT SHALL receive the sanction of a 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 KJERSTI SATTERWHITE to the office of the Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) 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 Chemical Dependency, 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>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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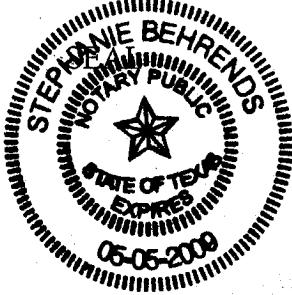
RESPONDENT'S CERTIFICATION

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 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 27 day of March, 2009.

Kjersti Satterwhite
KJERSTI SATTERWHITE, Respondent

Sworn to and subscribed before me this 27 day of March, 2009.




Stephanie Behrends
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nursing for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 27th day of March, 2009, by KJERSTI SATTERWHITE, Registered Nurse License Number 651310 and Vocational Nurse License Number 163160, and said Order is final.



Effective this 1st day of April, 2009.


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