BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse License Number 697582	§	AGREED
issued to CHRISTINA LYNN ADLEY	§	ORDER

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of CHRISTINA LYNN ADLEY, License Number 697582, hereinafter refer to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 24, 2009, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 professional nursing in the State of Texas.

4. Respondent received a Baccalaureate Degree in Nursing from University of Texas-Arlington, Arlington, Texas on May 9, 2003. Respondent was licensed to practice professional nursing in the State of Texas on July 8, 2003.

5. Respondent's professional nursing employment history includes:

7/03-11/03	Registered Nurse	Plaza Medical Center-Ft. Worth Ft. Worth, Texas

Respondent's professional nursing employment history continued:

12/03-12/06	Registered Nurse	Baylor University Medical Center Dallas, Texas
1/07-Present	Not employed in Nursing	

6. On or about September 11, 2008, Respondent was issued an Agreed Order by the Texas Board of Nursing which required her to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order, dated September 11, 2008, is attached and incorporated by reference as a part of this Order.

7. On or about November 12, 2008, Respondent became non-compliant with the terms of the Agreed Order issued to her by the Texas Board of Nursing on September 11, 2008. Non-compliance is the result of Respondent's failure to comply with Stipulation Number One (1) of the Order dated September 11, 2008, which reads, in pertinent part: "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..."

8. In response to Finding of Fact Number Seven (7), Respondent states she has not been able to practice nursing for the past two years and pursued a career in education. Respondent states she is currently teaching high school science and is under contract, therefore, she cannot leave to go back into nursing. Respondent states she desires to keep her nursing license and if at some time she chooses to reenter the field of nursing, she would gladly welcome the opportunity to enter the TPAPN program.

9. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(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 697582, heretofore issued to CHRISTINA LYNN ADLEY, including revocation of Respondent's license to practice 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 a LIMITED LICENSE with Stipulations, 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 compact states.

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 Texas Board of Nursing 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 CHRISTINA LYNN ADLEY, to the office of the Texas Board of Nursing within ten (10) days from date of ratification of this Order.

(2) 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.

(3) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

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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 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of April, 2010.

Christina Lynn Adley

CHRISTINA LYNN ADLEY, 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 15th day of April, 2010, by CHRISTINA LYNN ADLEY, License Number 697582, and said Order is final.

Effective this 8th day of June, 2010.

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	
License Number 697582	§	AGREED
issued to CHRISTINA LYNN ADLEY	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHRISTINA LYNN ADLEY, Registered Nurse License Number 697582, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9)&(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 21, 2008, 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.

4. Respondent received a Baccalaureate Degree in Nursing from University of Texas-Arlington, Arlington, Texas on May 9, 2003. Respondent was licensed to practice professional nursing in the State of Texas on July 8, 2003.

5. Respondent's professional nursing employment history includes:

6/03-11/03	Registered Nurse	Plaza Medical Center-Ft. Worth Ft. Worth, Texas

12/03-12/06	Registered Nurse	Baylor University Medical Center Dallas, Texas
1/07-Present	Unknown	

6. At the time of the incident, Respondent was employed as a Registered Nurse with Baylor University Medical Center, Dallas, Texas, and had been in this position for approximately one (1) year.

7. On or about December 2004, while employed with Baylor University Medical Center, Dallas, Texas, Respondent misappropriated over one hundred (100) vials of Morphine and Dilaudid in that the vials were found in her possession. Respondent later admitted to the misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

8. On or about October 17, 2006, while employed with Baylor University Medical Center, Dallas, Texas, Respondent engaged in the intemperate use of Hydromorphone and Morphine in that she submitted a specimen for drug screen which resulted positive for Hydromorphone and Morphine. Possession of Hydromorphone and Morphine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Hydromorphone and Morphine 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

9. On or about November 29, 2006, while employed with Baylor University Medical Center, Dallas, Texas, Respondent engaged in the intemperate use of Alcohol in that she submitted a specimen for drug screen which resulted positive for Ethyl Glucuronide. The use of alcohol 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

10. On or about December 6, 2006, while employed with Baylor University Medical Center, Dallas, Texas, Respondent engaged in the intemperate use of Cocaine in that she submitted a specimen for drug screen which resulted positive for Cocaine. Possession of Cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine 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, judgments, and decisions regarding patient care, thereby placing the patient in potential

danger.

11. Respondent states she voluntarily checked herself into Baylor All Saints in Fort Worth for acute rehabilitation and medication management. Respondent states she attended The Right Step, an intense thirty day residential treatment facility. Respondent states she is using every avenue possible to work a thorough program and fully rehabilitate so she can continue her nursing career.

12. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.

13. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

14. Respondent's conduct described in Findings of Fact Numbers Eight (8) through Eleven (11) resulted from Respondent's impairment by dependency on chemicals.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12 (1)(A),(6)(G),(8),(10)(A)&(D), &(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 697582, heretofore issued to CHRISTINA LYNN ADLEY, including revocation of Respondent's license 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):

RESPONDENT SHALL deliver the wallet-sized license issued to CHRISTINA LYNN ADLEY, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order for appropriate notation.

(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) 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 his/her license 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 multistate licensure privileges, 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 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 revocation of Respondent's 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. 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 8 day of September, 20 08.

Christina Lynn Adley

CHRISTINA LYNN ADLEY, Respondent

Sworn to and subscribed before me this 8 day of September, 20 08.

SEAL

KRISTY GONZALES
Notary Public, State of Texas
My Commission Expires
June 01, 2011

Kristy Gonzales

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 accept and enter the Agreed Order that was signed on the 8th day of September, 2008, by CHRISTINA LYNN ADLEY, Registered Nurse License Number 697582, and said Order is final.

Entered and effective this 11th day of September, 2008.

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