BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Registered Nurse	§	AGREED
License Number 463406	§	
issued to PATRICIA ELLEN CARROLL	§	ORDER

BOARD OF NURSING TEXAS
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 Bc considered the matter of PATRICIA ELLEN CARROLL, Registered Nurse License Number 463· 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 13, 2010, 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 an Associate Degree in Nursing from Rio Hondo College, Whittier, California, on June 7, 1975. Respondent was licensed to practice professional nursing in the State of California in September 1975, was licenced to practice professional nursing in the State of Washington on August 2, 1978, and was licensed to practice professional nursing in the State of Texas on April 15, 1982.

5. Respondent's professional nursing employment history includes:

9/75 to 7/78	Unknown
8/78 to Unknown	Registered Nurse (RN) Memorial Hospital Pullman, Washington
1986 to Unknown	RN Methodist Medical Center Dallas, Texas
2005 to 1/06	RN MedCare@Home Dallas, Texas
2/6 to Present	Unknown

6. On or about November 21, 1986, Respondent was issued a sanction of a Severe Reprimand through an Order of the Board by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and the Order dated November 21, 1986, is attached and incorporated as a part of this Order.

7. On or about November 17, 1987, Respondent's license to practice professional nursing in the State of Texas was Revoked through an Order of the Board by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and the Order dated November 17, 1987, is attached and incorporated as a part of this Order.

8. On or about November 29, 1989, Respondent's license to practice professional nursing in the State of Texas was Reinstated with Stipulations through an Order of the Board by the Board of Nurse Examiners for the State of Texas. A copy of the Order dated November 29, 1989, is attached and incorporated as a part of this Order.

9. At the time of the initial incident in Finding of Fact Number Ten(10), Respondent was employed as a Staff Nurse with MedCare@Home, Dallas, Texas, and had been in this position for one (1) year.

10. On or about January 26, 2006, while employed as a Staff Nurse with MedCare@Home, Dallas, Texas, Respondent provided falsified documentation of a skilled nurse visit for Patient PB that was not actually performed. Respondent's conduct resulted in an inaccurate medical record on which subsequent caregivers would rely to provide ongoing medical care and deprived the patient of timely detection and medical intervention in the event that the patient experienced a change in status.

11. On or about January 26, 2006, while employed as a Staff Nurse with MedCare@Home, Dallas, Texas, Respondent provided falsified documentation of a skilled nurse visit for Patient KD that was not actually performed. Respondent also called the patient and asked that she falsely report to the agency that the skilled nurse visit had been performed as scheduled. Respondent's conduct was deceptive and resulted in an inaccurate medical record on which subsequent caregivers would rely to provide ongoing medical care. Furthermore, Respondent conduct deprived the patient of timely detection and medical intervention in the event that the patient experienced a change in status.

12. In response to the incidents in Findings of Fact Ten (10) and Eleven (11), Respondent states that she did perform the visits, documented care, but failed to have the patients sign the document to verify the visits were performed.

13. Formal Charges were filed and mailed to Respondent on March 16, 2009.

14. Respondent is currently employed as an Assistant Director of Nursing for Encompass Home Health Agency of North Central Texas, where she supervises a team of patients and staff from the office. She has direct supervision of nurses' documentation, approving orders and approving 485's for the patients on her team.

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),(1)(B), (1)(D)&(1)(M) and 217.12(1)(A),(1)(B),(1)(C),(6)(A) & (6)(G).

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 463406, heretofore issued to PATRICIA ELLEN CARROLL, including revocation of Respondent's license to practice professional 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 REPRIMAND 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 professional 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 PATRICIA ELLEN CARROLL, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(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 <u>not</u> 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.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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 pay a monetary fine in the amount of five hundred dollars ($500.00). 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.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on

RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). Multiple employers are prohibited. RESPONDENT SHALL NOT be self-employed or contract for services. RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency with the exception of her current employer, Encompass Home Health of North Central Texas so long as this employer can comply with the supervision requirements stipulated above.

(8) RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(9) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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 professional 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 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 9th day of February, 2010.

Patricia Carroll

PATRICIA ELLEN CARROLL, Respondent

Sworn to and subscribed before me this 9th day of February, 2010.

SEAL

Shari R. Conger

SHARI R. CONGER
MY COMMISSION EXPIRES
April 29, 2013

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 __9th_____day of February, 2010, by PATRICIA ELLEN CARROLL, Registered Nurse License Number 463406, and said Order is final.

Effective this __23rd____ day of March, 2010.

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Permanent Certificate §
Number 4-63406 issued to §
PATRICIA ELLEN COOPER §

ORDER OF THE BOARD

To: Patricia Ellen Cooper
6011 Ivy Glen
Arlington, Texas 76017

The board of Nurse Examiners for the State of Texas in a regularly scheduled meeting held on the 21st day of November, 1986, considered the conduct of PATRICIA ELLEN COOPER, Permanent Certificate Number 4-63406.

At the meeting, Mrs. Mary Elizabeth Jackson, President of the Board, presided and the following members were present:

Mrs. Pauline Barnes, R.N.
Mrs. Mary Virginia Jacobs, R.N.
Dr. Ruby Morris
Dr. [illegible] Pryor, R.N.
Mrs. A. Joanna Seamans, R.N.

Following receipt of information, PATRICIA ELLEN COOPER agreed to a Consent to Board Order from the Board of Nurse Examiners. Respondent was not present at the Board of Nurse Examiners scheduled hearing but did appear at a hearing before the Executive Secretary. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. PATRICIA ELLEN COOPER, hereinafter referred to as "Respondent", is currently licensed to practice professional nursing in the State of Texas.

2. During a period of time from March, 1986, through May, 1986, Respondent appropriated Morphine Sulfate, without authorization, belonging to Methodist Medical Center, Dallas, Texas, and or to the patients thereof, while employed with the aforementioned facility.

3. Respondent received treatment for substance abuse from Care Unit Hospital, Dallas, Texas, from June 6, 1986, through June 27, 1986.

4. Respondent returned to her employment as a professional nurse with Methodist Medical Center, Dallas, Texas, on or about July 17, 1986, under a Return to Work Contract.

5. Respondent attends the Impaired Nurse Group and/or Alcoholics Anonymous on a daily basis.

6. Respondent desires to continue her career in professional nursing.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter.

2. Based upon the evidence received, Respondent is in violation of applicable Texas law, the aforementioned action and conduct, in the opinion of the Executive Secretary, constitutes unprofessional conduct.

ORDER

IN VIEW OF THE FINDINGS OF FACT, it is hereby ordered that PATRICIA ELLEN COOPER, license number 4-63406, be issued a severe reprimand.

IT IS FURTHER ORDERED that license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER, be subject to the following stipulations for a minimum period of two (2) years:

(1) Respondent must return her current certificate of re-registration (wallet-size) to the office of the Board of Nurse Examiners for the State of Texas immediately for appropriate notation.

(2) Respondent shall notify each employer/potential employer in professional nursing of this Order of the Board and the stipulations on his/her license by presenting a copy of this order to each potential employer. When employment is obtained, the employer must submit the notification of employment form to the Board office.

(3) That during her employment as a professional nurse, each employer of PATRICIA ELLEN COOPER submit on forms provided by the Board of Nurse Examiners, periodic reports as to her capability to practice professional nursing. Such reports are due at the office of the Board of Nurse Examiners at the end of each month of employment for a minimum period of three (3) months from the date of this Order. If all the aforementioned reports are acceptable, then the reports shall be required at the end of each three (3) months for the duration of the stipulation period. If the place of employment changes, the Board of Nurse Examiners is to be notified immediately.

(4) The terms of this Order can be served only while Respondent is employed in the capacity of a registered nurse in a hospital, nursing home, or like employment, where the nurse is supervised. The nurse may not be employed by a nurse registry, temporary nurse employment agency or home health agency.

(5) Respondent shall completely abstain from the consumption or injection of controlled substances, except as prescribed by a duly licensed practitioner for a legitimate purpose. Respondent shall have sent to the Board of Nurse Examiners, in writing and within ten (10) days, by the prescribing physician or dentist, a report identifying the medication and dosage. Respondent shall submit to random periodic screens for controlled substances at

least once every month, for a minimum period of three (3) months. If all of the aforementioned screens test negative for controlled substances, then the screens shall be required at least once every three (3) months for the duration of the stipulation period. All screens shall be properly monitored and administered by Respondent's employer or counselor and personally observed by this individual or a trusted member of his/her staff. Respondent shall have written reports from the employer or counselor sent to the Board of Nurse Examiners concerning the results of the random periodic screens. If any sample tests positive for narcotic, controlled substance or habit forming substance which Respondent has used without a prescription from a physician or dentist, they shall report the findings to the Board of Nurse Examiners immediately. Expenses encumbered by the screens shall be borne by Respondent.

(6) The Board of Nurse Examiners shall review reports regarding the practice of professional nursing by Respondent at the end of the stipulation period. It is understood that after the review, the Board may restore all rights and privileges incident to the license of Respondent, but may also extend or modify the stipulation terms, if extension or modification is warranted by evidence presented to the Board.

(7) Respondent shall participate in therapy and written reports as to her progress in therapy, rehabilitation and capability to practice professional nursing shall be submitted to the Board of Nurse Examiners, on forms provided by the Board, from her professional counselor, such reports are to be furnished

each and every month for a minimum period of three (3) months. If all of the aforementioned reports are acceptable, then the reports shall be required at the end of each three (3) months for the duration of the stipulation period, or until dismissed from therapy.

(8) Respondent shall provide evidence of her weekly attendance at meetings of a local support group for substance abuse. Such evidence shall be submitted to the office of the Board of Nurse Examiners at the end of each three (3) months for a minimum period of two (2) years.

(9) That, PATRICIA ELLEN COOPER shall comply in all respects with the Revised Civil Statutes of Texas, Article 4513 through 4528, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice of the Board of Nurse Examiners and the provisions of the terms of this Order of the Board.

The Board admonishes Respondent that the prime objective of the nursing profession is to render service to humanity and, whoever chooses this profession, assumes the obligation to conduct themselves in accordance with nursing standards and obey the laws of the State of Texas.

IT IS FURTHER ORDERED AND THE BOARD SO FINDS, in accordance with Article 6252-13a, 16(c), Revised Civil Statutes of Texas, as amended, that an imminent peril to the public health, safety, or welfare requires immediate effect of this Order and the same shall be effective on the date herein below rendered.

Entered this 21st day of November, 1986.

Certificate to Order of Board
In the Matter of Permanent
Certificate No. 4-63406
Issued to PATRICIA ELLEN COOPER

The aforementioned Findings of Fact, Conclusions of Law and Order of the Board represent a final decision or Order duly made by the Board of Nurse Examiners in and for the State of Texas this the 21st day of November, 1986.

Mary Elizabeth Jackson, President

Pauline Barnes, R.N.

Mary Virginia Justo, R.N.

A. Jonnie Simmons, R.N.

Jean Pryor, R.N.

Ruby Morris Ed.D.

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Permanent Certificate §
Number 4-63406 issued to §
PATRICIA ELLEN COOPER §

ORDER OF THE BOARD

TO: Patricia Ellen Cooper
6011 Ivy Glen
Arlington, Texas 76017

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting, having set a hearing to be held on November 17, 1987, to determine whether cause exists under Article 4525 (a) (8) and (9), Revised Civil Statutes of Texas, as amended, to suspend or revoke license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER, pursuant to Texas law, which hearing was held on November 17, 1987, pursuant to applicable Texas law.

At the hearing, Mrs. Pauline Barnes, R.N., President of the Board, presided and the following members were present:

Dr. Lynn C. Besselman
Mrs. Mary Virginia Jacobs, R.N.
Dr. Jean Pryor, R.N.
Mrs. A. Joanna Seamans, R.N.

The Board of Nurse Examiners for the State of Texas was represented by Philip Maxwell, counsel to the Board. Respondent was present but was not represented by counsel, although having been notified of her rights regarding same. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. That Sworn Complaint was filed with the Board of Nurse Examiners for the State of Texas in accordance with law.

2. That Notice of Hearing and Complaint were served upon PATRICIA ELLEN COOPER in accordance with law.

3. PATRICIA ELLEN COOPER, hereinafter referred to as "Respondent", is currently licensed to practice professional nursing in the State of Texas.

4. Respondent, while employed with Methodist Medical Center, Dallas, Texas, appropriated morphine sulfate, without authorization, belonging to the aforementioned facility and/or to the patients thereof during the month of July, 1987.

   The above action is in violation of §217.13 (5), Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, which prohibits:

   > "Appropriating, in connection with the practice of nursing, medications, supplies, equipment, or personal items of the patient/client, employer, or any other person or entity."

5. Respondent, while employed with the aforementioned facility during the month of July, 1987, engaged in the intemperate use of phenothiazines.

   The above action constitutes the intemperate use of drugs, in violation of Article 4525 (a) (8), Revised Civil Statutes of Texas, as amended.

   The aforementioned action and conduct constitutes unprofessional or dishonorable conduct which, in the opinion of the Board, is likely to deceive, defraud or injure patients or the public, in violation of Article 4525 (a) (8) and (9), Revised Civil Statutes of Texas, as amended.

CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended, the Board of Nurse Examiners for the State of Texas has jurisdiction over this matter.

2. That the evidence received was conclusive to prove unprofessional or dishonorable conduct which, in the opinion of the Board, is likely to deceive, defraud, or injure patients and the public.

3. That the activities of the nurse in question constituted sufficient cause pursuant to Article 4525 (a) (8) and (9), Revised Civil Statutes of Texas, as amended, to revoke license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER, to practice professional nursing in Texas.

ORDER

NOW, THEREFORE, IT IS ORDERED that license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER to practice professional nursing in the State of Texas be and the same is hereby revoked.

IT IS FURTHER ORDERED that said license issued to PATRICIA ELLEN COOPER, upon receipt of this order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED AND THE BOARD SO FINDS, in accordance with Article 6252-13a, 16(c), Revised Civil Statutes of Texas, as amended, that an imminent peril to the public health, safety, or welfare requires immediate effect of this Order and the same shall be effective on the date herein below rendered and the same may not be stayed except on proper application to a District Court in accordance with Article 4525c, Revised Civil Statutes of Texas, as amended.

Entered this 17th day of November, 1987.

Certificate to Order of Board
in the Matter of Permanent
Certificate No. 4-63406
Issued to PATRICIA ELLEN COOPER

The aforementioned Findings of Fact, Conclusions of Law and Order of the Board represent a final decision or Order duly made by the Board of Nurse Examiners in and for the State of Texas this the 17th day of November, 1987.

Pauline Barnes, R.N.
President

Mary Virginia Jacobs, RN

A. Jannie Simmons, R.N.

Jean Pryor, R.N.

Lynn C. Bussmann, Ph.D.

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Permanent Certificate §
Number 4-63406 issued to §
PATRICIA ELLEN COOPER §

ORDER OF THE BOARD

To: Patricia Ellen Cooper
501 Tish Circle, Apt. #206
Arlington, Texas 76006

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting on November 29, 1989, heard the application for reinstatement of license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER, according to Article 4525c, Revised Civil Statutes of Texas, as amended.

At the meeting, Dr. Eileen Piwetz, R.N., President of the Board, presided and the following members were present:

Mrs. Pauline Barnes, R.N.
Dr. Lynn C. Besselman
Mrs. Sara J. Keele, R.N.
Dr. Teddy L. Langford, R.N.
Mr. Morris H. Parrish
Mrs. Pettey C. Ross, R.N.
Mrs. A. Joanna Seamans, R.N.
Mrs. Patsy Sharpe

The applicant was present at the meeting, but was not represented by counsel. Testimony and other evidence was received by the Board, and as a result thereof, the Board makes the following decision.

ORDER

NOW, THEREFORE, IT IS ORDERED that license number 4-63406, heretofore issued to PATRICIA ELLEN COOPER to practice professional nursing in the State of Texas be and the same is hereby reinstated upon payment of re-registration fees and compliance with the following stipulations for a minimum period of two (2) years.

(1) Respondent shall notify each employer/potential employer in professional nursing of this Order of the Board and the stipulations on her license by presenting a copy of this Order to each potential employer. When employment is obtained, Respondent must cause the employer to submit the notification of employment form to the Board office.

(2) That during her employment as a professional nurse, each employer of PATRICIA ELLEN COOPER submit on forms provided by the Board of Nurse Examiners, periodic reports as to her capability to practice professional nursing, such reports are due at the office of the Board of Nurse Examiners at the end of each three months for a minimum period of two (2) years of employment as a registered nurse following receipt of this Order. If the place of employment changes, the Board of Nurse Examiners is to be notified immediately.

(3) The terms of this Order can be served only while Respondent is employed in the capacity of a registered nurse in a hospital, nursing home, or like employment, where the nurse is supervised and works only on regularly assigned, identified and predetermined unit(s). The nurse may not be employed by a nurse registry, temporary nurse employment agency or home health agency. Respondent may not be self employed and multiple employers are prohibited.

(4) Respondent may not practice as a professional nurse in any critical care areas for a minimum period of one (1) year of employment as a registered nurse following receipt of this Order. Critical care areas are identified as any intensive care unit, step-down unit, emergency room, operating room and recovery room.

(5) Respondent may not practice as a professional nurse on the night shift, may not rotate shifts, work overtime, accept on call assignments, or be used for coverage on any unit other than the assigned unit(s) for minimum period of one (1) year of employment as a registered nurse following receipt of this Order.

(6) Respondent may not administer or have any contact with controlled substances, Nubain and/or Stadol for a minimum period of one (1) year of employment as a registered nurse following receipt of this Order.

(7) Respondent shall completely abstain from the consumption or injection of controlled substances, except as prescribed by a duly licensed practitioner for a legitimate purpose. Respondent shall have sent to the Board of Nurse Examiners, in writing and within ten (10) days, by the prescribing physician or dentist, a report identifying the medication, dosage and the date the medication was prescribed. Respondent shall submit to random periodic screens for controlled substances and alcohol at least once every week, for a minimum period of three (3) months. If all of the aforementioned screens test negative for controlled substances and alcohol, then the screens shall be required at least once every month for a minimum period of three (3) months. If all the aforementioned screens test negative for controlled substances and alcohol, then the screens shall be required at least once every three (3) months for the duration of the probation period. All screens shall be properly monitored and administered by Respondent's employer and personally observed by said individual or a trusted member of his/her staff. A complete chain of custody shall be maintained for each specimen obtained and analyzed. Respondent shall have written reports from the employer sent to the Board of

Nurse Examiners concerning the results of the random periodic screens. If any sample tests positive for alcohol, narcotic, controlled substance or habit forming substance which Respondent has used without a prescription from a physician or dentist, they shall report such findings to the Board of Nurse Examiners immediately. Expenses encumbered by the screens shall be borne by Respondent.

(8) The Board of Nurse Examiners shall review reports regarding the practice of professional nursing by Respondent at the end of the probation period. It is understood that after the review, the Board may restore all rights and privileges incident to the license of Respondent, but may also after notice and opportunity for hearing extend or modify the terms of probation, if extension or modification is warranted by evidence presented to the Board.

(9) Respondent shall participate in therapy and written reports as to her progress in therapy, rehabilitation and capability to practice professional nursing shall be submitted to the Board of Nurse Examiners, on forms provided by the Board, from a professional counselor as recognized by the Board, such reports are to be furnished each and every month for a minimum period of three (3) months. If all of the aforementioned reports are acceptable, then the reports shall be required at the end of each three (3) months for the duration of the probation period, or until dismissed from therapy.

(10) Respondent shall provide evidence of attendance of at least two (2) support group meetings per week. The weekly meetings shall consist of (a) a minimum of one (1) impaired nurse support group and (b) another local

support group for substance abuse. Such evidence shall be submitted to the office of the Board of Nurse Examiners, on forms provided by the Board, at the end of each three (3) months for a minimum period of two (2) years.

(11) That, PATRICIA ELLEN COOPER shall comply in all respects with the Revised Civil Statutes of Texas, Article 4513 through 4528, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice of the Board of Nurse Examiners and the provisions of the terms of this Order f the Board.

Entered this the 29th day of November, 1989.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY Louise Waddill
Louise Waddill, R.N., Ph.D.
Executive Secretary on behalf
of said Board