BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse License Number 578145 §
issued to WARDEN LAMAR PALMER §

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

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Boa accepted the voluntary surrender of Registered Nurse License Number 578145, issued to WARDEN LAMAR PALMER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.

2. Respondent waived informal proceedings, notice and hearing.

3. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas, on December 19, 1991. Respondent was licensed to practice professional nursing in the State of Texas in March 17, 1992.

4. Respondent's professional nursing employment history includes:

04/92 - 07/92	Staff RN	Northwest Texas Healthcare System Amarillo, TX
07/92 - 04/93	RN	Golden Plains Community Hospital Borger, TX
08/92 - 04/93	Case Manager	Kimberly Care, Inc. Amarillo, TX

Respondent's professional nursing employment history (continued):

12/92 - 04/93	RN	Cedar Creek Hospital Amarillo, TX
04/93 -12/93	Quality Assurance Director/ADON	Golden Plains Community Hospital Borger, TX
01/94 - 03/94	Clinical Coordinator	Family Hospital Amarillo, TX
03/94 - 09/94	RN	High Plains Baptist Hospital Amarillo, TX
09/95 - 01/96	RN	Amarillo Bone and Joint Amarillo, TX
01/96 - 09/98	RN	Dr. Paul Jew Amarillo, TX
09/98 - 07/03	Sales Rep	Pharmacia Corporation Amarillo, TX
07/03 - Unknown	RN	NW Texas Healthcare System Amarillo, TX & Golden Plains Community Hospital, Borger, TX
Unknown - 09/09	RN/ACNP	Stratford Hospital District Stratford, TX
10/09 - Current	Unknown	

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5. On or about November 4, 2009, the Texas Board of Nursing notified Respondent of the following allegations:

- On or about September 11, 1991, Respondent was arrested by the Potter County Sheriff's Office, Amarillo, Texas, and was subsequently Convicted of DRIVING UNDER THE INFLUENCE OF LIQUOR. As a result of the conviction, Respondent was placed on probation for a period of sixty (60) days.

- On or about February 2009, while employed as a Registered Nurse (and Acute Care Nurse Practitioner) with Stratford Family Medical Clinic, Stratford, Texas, Respondent:

  - engaged in the intemperate use of alcohol;
  - lacked fitness to practice professional nursing in that Respondent was consuming an alcoholic beverage while caring for Patient L.A.;
  - failed to safely administer an IV; and
  - inappropriately handled and administered Demerol.

- On or about August 2009, while employed as a Registered Nurse (and Acute Care Nurse Practitioner) with Stratford Family Medical Clinic, Stratford, Texas, Respondent:

  - failed to record and maintain timely documentation of patient consults;
  - had complaints from patients stating that they did not trust Respondent to make sound medical judgments;
  - failed to charge all patients for services rendered;
  - failed to accurately and completely document controlled substance administration records;
  - threatened staff with retaliation; and
  - prescribed large amounts of Lortab to a patient without medical justification.

6. On January 5, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of Respondent's notarized statement, dated December 14, 2009, is attached and incorporated herein by reference as part of this Order.

7. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

8. 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 evidence received is sufficient to prove violation of Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(B),(C),(D)(ii)&(iv)&(4)(A)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(B)&(C),(4),(5),(6)(A),(C),(F)&(H),(10)(A)&(B).

4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.

6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 578145, heretofore issued to WARDEN LAMAR PALMER, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to WARDEN LAMAR PALMER, to the office of the Texas Board of Nursing.

2. RESPONDENT SHALL NOT practice professional nursing, use the title of Registered Nurse or the abbreviation RN or wear any insignia identifying himself as a Registered Nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a Registered Nurse during the period in which the license is surrendered.

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.

4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

Effective this 11th day of January, 2010.

TEXAS BOARD OF NURSING

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