

Respondent's nursing employment history continued:

12/00 - 08/01	Pediatric LVN	Nurses Night & Day Houston, Texas
08/01 - 02/02	Pediatric LVN	Select Healthcare Baytown, Texas
02/02 - 04/02	Pediatric LVN	Outreach Health Abilene, Texas
05/02 - 02/04	Med Nurse	Care Inn of Abilene Abilene, Texas
02/04 - 04/04	Pediatric LVN	Choice Home Care Abilene, Texas
04/04 - 12/05	Charge Nurse	Songbird Lodge Brownwood, Texas
12/05 - 07/06	Pediatric LVN	Outreach Health Abilene, Texas
08/06 - 12/06	Not employed in nursing	
01/07 - 05/07	LVN	Western Hills Healthcare Comanche, Texas
06/07 - present	Unknown	

6. At the time of the incidents in Findings of Fact Numbers Seven (7) through Nine (9) and Eleven (11), Respondent was employed as a Licensed Vocational Nurse with Western Hills Healthcare, Comanche, Texas, and had been in this position for one (1) year and three (3) months.
7. Respondent may have an addiction to Hydrocodone in that she passed prescriptions for Hydrocodone at different pharmacies using different physicians, which may indicate a chemical dependency on Hydrocodone that may affect her ability to safely practice vocational nursing.

8. While employed with Western Hills Healthcare, Comanche, Texas, Respondent misappropriated Hydrocodone, which had been discontinued and designated to be destroyed, from the facility and the patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication and was in violation of the Chapter 481 of the Health and Safety Code (Texas Controlled Substances Act).
9. On or about April 4, 2007, while employed with Western Hills Healthcare, Comanche, Texas, Respondent engaged in the intemperate use of Opiates in that she produced a specimen for a drug screen which resulted positive for opiates. Possession of Opiates is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Opiates by a Licensed Vocational 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.
10. In response to Findings of Fact Eight (8), Respondent states that she did not know where the missing narcotic card went. In Response to Finding of Fact Number Nine (9), Respondent states that she had taken two (2) Vicodin the morning of the drug screen, and provided an outdated pharmacy sheet showing that she had been dispensed thirty (30) Hydrocodone tablets ten (10) months prior. No valid prescription was produced.
11. While employed with Western Hills Healthcare, Comanche, Texas, Respondent failed to document signs, symptoms, and responses to medications administered in patients' Medication Administration Record or Nurses Notes.. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate and assess the patient which could result in an overdose or an inaccurate assessment.
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 Seven (7), Eight (8), Nine (9), and 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 violations of Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)(D). and 22 TEX. ADMIN. CODE §217.12(5),(6)(G),(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 Vocational Nurse License Number 148846, heretofore issued to TERRI LYNN KENEMORE, 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 TERRI LYNN KENEMORE, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(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 three hundred fifty dollars (\$350)

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 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.

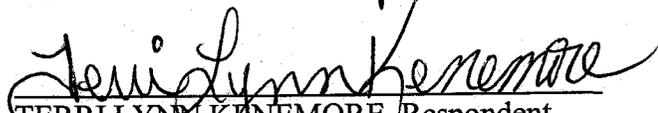
IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where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

RESPONDENT'S CERTIFICATION

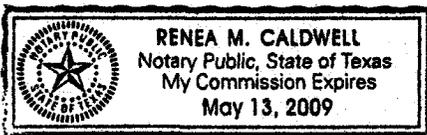
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

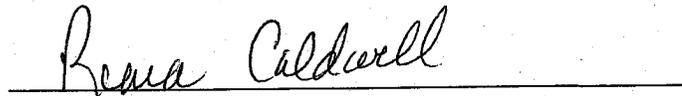
Signed this 15th day of April, 2009.


TERRI LYNN KENEMORE, Respondent

Sworn to and subscribed before me this 15th day of April, 2009.

SEAL





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 15th day of April, 2009, by TERRI LYNN KENEMORE, Vocational Nurse License Number 148846, and said Order is final.



Entered and effective this 17th day of April, 2009.

Katherine A. Thomas

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