



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 538282 § AGREED
and Vocational Nurse License Number 71405 §
issued to BARBARA SUE MCKINNEY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of BARBARA SUE MCKINNEY, Registered Nurse License Number 538282 and Vocational Nurse License Number 71405, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(8), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on October 5, 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 inactive status.
4. Respondent received a Certificate in Vocational Nursing from Kiamichi Area Vocational-Technical School of Practical Nursing, Poteau, Oklahoma, on August 22, 1975. Respondent was licensed to practice vocational nursing in the State of Texas on April 20, 1977. Respondent received an Associate Degree in Nursing from Westark Community College, Fort Smith, Arkansas, on May 9, 1986. Respondent was licensed to practice professional nursing in the State of Texas on April 13, 1987.

5. Respondent's complete vocational and professional nursing employment history is unknown.
6. On or about June 9, 2007, Respondent's license to practice professional nursing in the State of Oklahoma was issued the sanction of SEVERELY REPRIMANDED. A copy of the Stipulation, Settlement and Order dated June 9, 2007, is attached and incorporated, by reference, as part of this Order.
7. Respondent submitted a letter to the Board from the Oklahoma Board of Nursing, dated September 28, 2007, stating that she has successfully completed the terms of her Order.
8. In a letter dated September 24, 2007, submitted by the Respondent to the Texas Board of Nursing, Respondent states, "This all came about because I signed waste for an LPN that was diverting drugs for herself, and I did not actually see the waste go down the drain. This was a stupid careless violation on my part and I have absolutely learned my lesson. I don't sign anything I don't see go down the drain. I never for a moment suspected she was diverting but there is no excuse for what I did."

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)(8), Texas Occupations Code.
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 538282 and Vocational Nurse License Number 71405, heretofore issued to BARBARA SUE MCKINNEY, including revocation of Respondent's licenses to practice professional and vocational 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 REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil

Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *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 and vocational 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 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 licenses issued to BARBARA SUE MCKINNEY to the office of the Texas 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/about/stipscourses.html>.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued unencumbered licenses and multistate licensure privileges, if any, to practice professional and vocational 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 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 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 licenses to practice professional and vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 9th day of NOV, 2007.

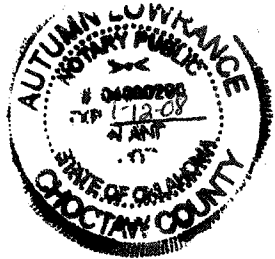
Barbara Sue McKinney
BARBARA SUE MCKINNEY, Respondent

Sworn to and subscribed before me this 9th day of November, 2007.

SEAL

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Notary Public in and for the State of Oklahoma



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 9th day of November, 2007, by BARBARA SUE MCKINNEY, Registered Nurse License Number 538282 and Vocational Nurse License Number 71405, and said Order is final.

Effective this 19th day of November, 2007.



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