BEFORE THE TEXAS BOARD OF NURSING

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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

In the Matter of Vocational Nurse	§
License Number 181830	§
issued to KRISTINE DEE KINSEY	§

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 181830, issued to KRISTINE DEE KINSEY, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal conference, 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 vocational nursing in the State of Texas.

2. Respondent waived representation by counsel, informal conference, notice and hearing.

3. Respondent received a Certificate in Vocational Nursing from Weatherford College, Weatherford, Texas, on August 17, 2001. Respondent was licensed to practice vocational nursing in the State of Texas on October 4, 2001.

4. Respondent's vocational nursing employment history is unknown.

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5. On July 5, 2006, the Board of Nursing provided notice to Respondent for the following allegations:

   a. On or about March 21, 2006, while employed with Graham Regional Medical Center, Graham, Texas, Respondent failed to accurately and completely report and document in the medical record of Patient Medical Record Number 000099949. Respondent documented "Infant brought to Cuban. Placed in OC taken to jail. . . . Infant swaddled in blankets and need more mone";
   b. On or about March 21, 2006, while employed with Graham Regional Medical Center, Graham, Texas, Respondent failed to make entries regarding the administration of Vicodin in the medical records of Patient Medical Record Number 000079200;
   c. On of about March 30, 2006, while employed with Graham Regional Medical Center, Graham, Texas, Respondent misappropriated a vial of 50 mg Demerol and a vial of 75 mg Demerol; and
   d. On or about March 31, 2006, while employed with Graham Regional Medical Center, Graham, Texas, Respondent engaged in the intemperate use of narcotics and tested positive for amphetamines and opiates on a drug screen test.

6. On April 18, 2008, the Board of Nursing provided notice to Respondent for the following allegations:

   a. On or about January 22, 2008, Respondent plead guilty and was convicted of POSSESSION OF CS PG 1>4G<200G (a 2nd degree felony offense committed on June 5, 2007) in the Tarrant County District Criminal Court #2, Fort Worth, Texas, resulting in her incarceration in the Texas Department of Criminal Justice;
   b. On or about March 24, 2008, Respondent plead guilty and was convicted of POSS CS PG 1>=4g<200g (1st degree felony offense committed on January 3, 2007) in the 415th District Court of Parker County, Weatherford, Texas, resulting in her incarceration in the Texas Department of Criminal Justice; and
   c. On or about March 24, 2008, Respondent plead guilty and was convicted of UNAUTHORIZED USE OF VEHICLE (a State Jail Felony offense committed on January 3, 2007) in the 415th District Court of Parker County, Weatherford, Texas, resulting in her incarceration in the Texas Department of Criminal Justice.

7. On May 20, 2008, the Board received a notarized statement from Respondent voluntarily surrendering her right to practice vocational nursing in Texas. A copy of the notarized statement is attached and incorporated, by reference, as part of this Order.

8. 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.

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 evidence received is sufficient to prove violations of Section 301.452(b)(3), (9), (10), (12) & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A) & (D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(4), (5), (6)(G), (8)(10)(A) & (D), (11)(B) &(13).

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 Vocational Nurse License Number 181830, heretofore issued to KRISTINE DEE KINSEY, to practice vocational 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 KRISTINE DEE KINSEY, to the office of the Board of Nursing.

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

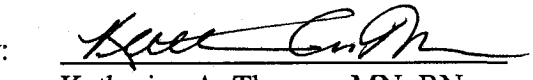
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.

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 vocational nursing in compact states.

Effective this 21st day of May, 2008.

TEXAS BOARD OF NURSING

By: 

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

Kristine Dee Kinsey
PO Box 1583
Boyd, Texas 76023
Texas LVN License #181830

April 17, 2008

Dear Board of Nurse Examiners:

I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Kristine Kinsey

Date 4/30/08

Texas LVN License Number 181830

The State of Texas

Before me, the undersigned authority, on this date personally appeared KRISTINE DEE KINSEY who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 30th day of April, 2008.

SEAL

J Engel

Notary Public in and for the State of TX

J. ENGEL
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 03-17-2012

May 7, 2008

Cynthia A. Smith
Supervising Investigator
333 Guadalupe Street Ste. 3-460
Austin, Tx 78701

Dear Ms. Smith,

I am responding in regards to the two letters I received from you dated April 17 and April 18. I signed and had notorized the paper for voluntary surrender of my license.

As you found I am currently incarcerated in the Texas Department of Corrections. I fully understand this will effect my ability to possibly be able to practice nursing again. I have plead guilty to all three charges I was accused of and have received a 12yr TDC, a 3yr TDC and a 20month State Jail sentence all to be run concurrent. Therefore, there is no way that I can comply with the request to have a psychological evaluation and submit to a lie detector as requested by the Board.

In the past three years I have struggled

with a large amount family problems. which have caused me to suffer with a lot of mental and emotional problems. This by no means justifies my actions. I am currently seeking treatment for these problems while I am incarcerated. I am utilizing any and all ~~resources~~ resources that are available to me. I also will continue to use any help available to me once I am released on parole.

I'm not certain if my charges will even allow me to petition the Board for reinstatement of license. In the event the Board allows me to, I am willing to fully cooperate with anything required of me. I would like to state, that while I commited these crimes I was not actively working as a nurse. Therefore there was no direct patient endangerment. Again I understand this doesn't justify my actions.

I am unable to supply my exact address and will not have a phone number while incarcerated. You have spoken to my mother, Jan Reader regarding my current case. She has full power of attorney over all of my affairs while I am incarcerated. Any further information

can be obtained by sending my mail to my mothers address. I give my permission for anything to be discussed with her as needed and she will always know how to contact me directly. I will be paroling to her house once I am released from prison so her address will be my permenant residence. So please send all correspondances for me to PO BOX 1583 Boyd, Texas 76023.

If you have any further questions, please contact my mother, Jan Bender, at (940)-433-3134 Hm or (940) 507-0058 cell.

Sincerely,

Kristi Kinsey

Kristine D. Kinsey