

BEFORE THE 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.
Katherine A. Thomas
Executive Director of the Board

In the Matter of Registered Nurse License § AGREED
Number 641952 & Vocational Nurse License Number 149700 §
issued to CHRISTINE LITCHFIELD § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of CHRISTINE LITCHFIELD, Registered Nurse License Number 64195 Vocational License Number 149700, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9), (10) & (13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on May 25, 2008, 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 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 delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Lamar University - Orange, Orange, Texas, on August 12, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on October 18, 1994. Respondent received an Associate Degree in Nursing from Lamar University, Beaumont, Texas, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 1997.

5. Respondent's vocational and professional nursing employment history includes:

November 1994 - March 2000	Unknown
April 2000 - January 2001	Staff RN Home Care PRN Unknown
January 2001 - September 2001	Staff RN Regent Care The Woodlands, Texas
February 2001 - December 2003	Staff RN Conroe Regional Medical Center Conroe, Texas
September 2002 - March 2003	Staff RN Healthsouth Rehab Conroe, Texas
May 2003 - April 2004	Staff RN Memorial Hermann The Woodlands, Texas
May 2004 - April 2006	Staff RN St. Luke's Community Medical Center The Woodlands, Texas
May 2006 - April 2007	Unknown
May 2007	Staff RN Richards Healthcare, Inc. Houston, Texas
June 2007 - Present	Unknown

6. On or about January 9, 2006 to March 31, 2006, while employed with St. Luke's Community Medical Center, The Woodlands, Texas, Respondent removed Morphine and Demerol for patients from the Pyxis Medication Dispensing System but failed to document the administration of the Morphine and Demerol on the patients' Medication Administration Records (MAR) as follows:

Pyxix Report Date & Time	Patient Account#	Medication Pulled & Qty.	Physician's Order	MAR	Wastage
01/09/06 2107	0533500701	Morphine 10mg/1ml vial (1)	Morphine 2mg IVP Q4H PRN	2mg 2108	5 mg 2107
01/11/06 0201	0533500701	Morphine 10mg/1ml vial (1)	Morphine 4mg IV Q4H PRN	4mg 0159	None documented
02/02/06 2010	0602600447	Morphine 10mg/1ml vial (1)	Morphine 2-4mg IV Q3-4H PRN	None documented	6mg 0415 (2/3/06)
02/03/06 0156	0601800486	Morphine 10mg/1ml vial (1)	Morphine 2mg IV Q3H PRN	None documented	8mg 0414
03/12/06 0425	0606900678	Morphine 10mg/1ml vial (1)	Morphine 2-4mg IV Q3-4H PRN	None documented	6mg 0425
03/11/06 2338	0607000138	Morphine 10mg/1ml vial (1)	Morphine 4mg IV Q4H PRN	4mg 2338	4mg 0457 (3/12/06)
03/12/06 0424	0607000138	Morphine 10mg/1ml vial (1)	Morphine 4mg IV Q4H PRN	None documented	6mg 0424
03/13/06 0156	0607000138	Morphine 10mg/1ml vial (1)	Morphine 4mg IV Q4H PRN	None documented	6mg 0518
03/13/06 0157	0607100050	Morphine 10mg/1ml vial (1)	Morphine 2mg IV Q4-6H PRN	None documented	8mg 0519
03/30/06 0114	0608700178	Meperidine 25mg/1ml ampule (2)	Demerol 25-50mg IV Q3-4H PRN	None documented	None documented
03/30/06 2020	0608700178	Meperidine 25mg/1ml ampule (2)	Demerol 25-50mg IV Q3-4H PRN	None documented	None documented
03/31/06 0311	0608700178	Meperidine 25mg/1ml ampule (2)	Demerol 25-50mg IV Q3-4H PRN	None documented	None documented
03/31/06 0116	0608000243	Meperidine 25mg/1ml ampule (2)	Demerol 25-50mg IV Q4H PRN	None documented	None documented

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

7. On or about January 9, 2006 to March 31, 2006, while employed with St. Luke's Community Medical Center, The Woodlands, Texas, Respondent removed Morphine and Demerol for patients from the Pyxis Medication Dispensing System but failed to administer the medication to the patients per physician's order. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.
8. On or about January 9, 2006 to March 31, 2006, while employed with St. Luke's Community Medical Center, The Woodlands, Texas, Respondent removed Morphine and Demerol for patients from the Pyxis Medication Dispensing System but failed to follow facility policy and procedure for the wastage of the unused portions of the Morphine and Demerol. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
9. On or about January 9, 2006 to March 31, 2006, while employed with St. Luke's Community Medical Center, The Woodlands, Texas, Respondent misappropriated Morphine and Demerol belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. Regarding the conduct outlined in Findings of Fact Numbers Six (6) through Nine (9), Respondent admits that she failed to document and scan drugs on "occasion," but states that she did give all the prescribed medications to the right patients. Respondent states that the hospital was changing the computer charting "left and right." Respondent adds that she did complain about needing more training because she was absent due to various illnesses for which she was hospitalized in January and February of 2006. Respondent denies taking the medications, and adds that she is highly allergic to Morphine.
11. On or about April 12, 2006, while employed with St. Luke's Community Medical Center, The Woodlands, Texas, Respondent engaged in the intemperate use of Demerol, Marijuana, Cocaine, and Propoxyphene in that she submitted a specimen for a drug screen which resulted positive for Demerol, Marijuana, Cocaine, and Propoxyphene. Possession of Demerol, Marijuana, Cocaine, and Propoxyphene without a valid prescription is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Demerol, Marijuana, Cocaine, and Propoxyphene by a 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

12. Regarding the conduct outlined in Finding of Fact Number Eleven (11), Respondent states that she had a prescription for propoxyphene due to severe kidney pain and osteoarthritis. Respondent adds that she had a lot of things going on in her life and that she made a "bad decision" on April 9th when she went to a party and smoked some pot and did cocaine under a lot of peer pressure.
13. On or about April 30, 2007, while employed with Richards Healthcare, Inc., Houston, Texas, Respondent engaged in the intemperate use of Cocaine in that she submitted a specimen for a drug screen which resulted positive for Cocaine. Possession of Cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine by a 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
14. Regarding the conduct outlined in Finding of Fact Number Thirteen (13), Respondent admits that she slipped "off the wagon" a week before and did cocaine one time. She states that she did it after finding her eldest son was being sent back to Iraq for the third time. Respondent states that she started going back to N/A meetings.
15. Respondent states April 30, 2007, as her date of sobriety.
16. Respondent has a current prescription for Klonopin for a seizure disorder. Respondent's physician recommends that she continue on Klonopin.
17. 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 a violation of Section 301.452(b)(9), (10) & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(C)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A), (5), (6)(G), (10(A)(C)(D) & (11)(B).
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 641952 and Vocational Nurse License Number 149700, heretofore issued to CHRISTINE LITCHFIELD, including revocation of Respondent's licenses to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 641952 and Vocational Nurse License Number 149700, previously issued to CHRISTINE LITCHFIELD, to practice nursing in Texas are hereby SUSPENDED and said suspension is enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve (12) consecutive months of sobriety. Any relapse prior to the completion of the twelve (12) consecutive months of sobriety will result in an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

IT IS FURTHER ORDERED that Permanent Certificate Numbers 641952 and 149700 previously issued to CHRISTINE LITCHFIELD, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order the 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, upon verification of successful completion of the approved treatment and twelve (12) consecutive months of sobriety as set out in this Order, the Suspension will be stayed, and RESPONDENT will be placed on probation for three (3) years with the following agreed terms of probation:

(1) 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.

(2) RESPONDENT SHALL pay all re-registration fees, if applicable, and be issued a license to practice nursing in the State of Texas with the appropriate notation.

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, 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 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/about/stipscourses.html>.

(4) RESPONDENT SHALL pay a monetary fine in the amount of five hundred (\$500) dollars. RESPONDENT SHALL pay this fine within forty-five (45) days of the suspension being stayed. 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 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 PROBATION CONDITIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE OR VOCATIONAL NURSE LICENSE (LVN) WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(5) RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions 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) For the first year of employment as a nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) For the remainder of the probation period, 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). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned for one (1) year of employment as a nurse.

(10) RESPONDENT SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. Critical care areas include, but are not limited to, intensive

care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(11) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a nurse.

(12) 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 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) months for three (3) years of employment as a nurse.

(13) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(14) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT's place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board. Failure to report for a drug screen may be considered the same as a positive result and may result in further disciplinary action by this Board.

(15) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the probation period, or until RESPONDENT is dismissed from therapy.

(16) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse; and RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least; the date of each meeting, the name of each group attended, and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

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 nursing in the State of Texas.

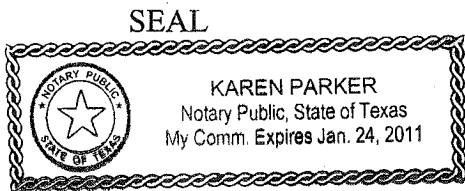
RESPONDENT'S CERTIFICATION

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 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 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17 day of July, 2008.

Christine Litchfield
CHRISTINE LITCHFIELD, Respondent


Sworn to and subscribed before me this 17 day of July, 2008.



Karen Parker
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 17th day of July, 2008, by CHRISTINE LITCHFIELD, Registered Nurse License Number 641952 and Vocational Nurse License Number 149700, and said Order is final.

Effective this 12th day of August, 2008.


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