



Respondent's professional employment history continued:

6/03-Unknown                      Agency Nurse                      Prime Staff-Mint Medical  
Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Abilene Regional Medical Center, Abilene, Texas, and had been in this position for one (1) year and three (3) months.
7. On or about September 27, 2000, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew and administered Ativan to an off-duty nurse employed by Abilene Regional Medical Center, Abilene, Texas, without a physician's order. The off-duty nurse had a prescription from the emergency department physician for Ativan; however, the off-duty nurse was not registered as an emergency department patient. Respondent's conduct was likely to injure the patient in that the administration of Ativan without a physician's order could result in the patient suffering from adverse reactions.
8. On or about September 27, 2000, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent misappropriated Ativan belonging to the facility or 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 medication.
9. On or about May 2001, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew Morphine Sulfate and other narcotics from the Pyxis Medication Dispensing System for patients, but failed to accurately and completely document the administration of these medications in patients' Medication Administration Records (MAR), Nurse Notes, or both. Respondent's conduct was likely to injure patients in that subsequent care givers would rely on the documentation to further medicate the patient which could result in over-medication.
10. On or about May 2001, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew Morphine Sulfate and other narcotics from the Pyxis Medication Dispensing System for patients, but failed to follow the policy and procedure in place for the wastage of these medications. 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).
11. On or about May 2001, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent misappropriated Morphine Sulfate and other narcotics from the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and the patients thereof the cost of the medications.

12. On or about September 25, 2002, through September 26, 2002, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew Morphine Sulfate from the Pyxis Medication Dispensing System which was in excess dosage and/or frequency of the physician's order. The physician's order was for Morphine Sulfate 1mg every twenty (20) minutes PRN for discomfort. Respondent administered 4mg at 0025, 4mg at 0130, 4mg at 0230, and 4mg at 0530. Respondent's conduct was likely to injure the patient in that the administration of Morphine Sulfate in excess dosage and/or frequency of the physician's order could result in the patient suffering from adverse reactions, including respiratory depression.
13. On or about October 19, 2002, through October 26, 2002, while employed at Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew Morphine Sulfate from the Pyxis Medication Dispensing System for Patient Medical Record Numbers 305958 and 305801, but failed to completely and accurately document the administration of the medication in the Medication Administration Record (MAR), Nurses Notes, or both, as follows:

DATE/TIME	PATIENT	PYXIS	PHYSICIAN'S ORDER	MAR	NURSES NOTES	WASTAGE
10/19/02@0440	T.D. 305958	MORPHINE 10MG INJ	MORPHINE 5- 10MG IV Q 1HR PRN	NO	YES-NO DOSAGE INDICATED; RN DOCUMENTED THAT SHE MEDICATED THE PT PER PRN ORDER	NO
10/25/02@1950	J.C. 305801	MORPHINE 4MG INJ	MSO4 1-2MG IV Q 30 MIN PRN	1950- 2MG 2000- 2MG	NO	NO
10/25/02@2045	J.C. 305801	MORPHINE 4MG INJ	MSO4 1-2MG IV Q 30 MIN PRN	2045- 2MG 2230- 2MG	NO	NO
10/25/02@2300	J.C. 305801	MORPHINE 4MG INJ	MSO4 1-2MG IV Q 30 MIN PRN	NO	NO	NO
10/26/02@0110	J.C. 305801	MORPHINE 4MG INJ	MSO4 1-2MG IV Q 30 MIN PRN	0110- 2MG 0130- 2MG	NO	NO

10/26/02@0340	J.C. 305801	MORPHINE 10MG	MSO4 1-2MG IV Q 30 MIN PRN	0345- 2MG 0350- 2MG 0600- 2MG	NO	4MG
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Respondent's conduct was likely to injure patients in that subsequent care givers would rely on the documentation to further medicate the patient which could have resulted in over-medication.

14. On or about October 19, 2002, and October 25, 2002, while employed at Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew Morphine Sulfate from the Pyxis Medication Dispensing System for patients but failed to follow the policy and procedure in place for the wastage of the medication. 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).
15. On or about October 25, 2002, through October 26, 2002, while employed at Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew Morphine Sulfate from the Pyxis Medication Dispensing System for patients which was in excess dosage and/or frequency of the physician's order, as follows:

DATE/TIME	PATIENT	MEDICATION	PHYSICIAN'S ORDER	MAR	NURSES NOTES	WASTAGE
10/25/02@1950	J.C. 305801	MORPHINE 4MG INJ	MSO4 1-2MG IV Q 30 MIN PRN	1950- 2MG 2000- 2MG	NO	NO
10/25/02@2300	J.C. 305801	MORPHINE 4MG INJ	MSO4 1-2MG IV Q 30 MIN PRN	NO	NO	NO
10/26/02@0110	J.C. 305801	MORPHINE 4MG INJ	MSO4 1-2MG IV Q 30 MIN PRN	0110- 2MG 0130- 2MG	NO	NO
10/26/02@0340	J.C. 305801	MORPHINE 10MG	MSO4 1-2MG IV Q 30 MIN PRN	0345- 2MG 0350- 2MG 0600- 2MG	NO	4MG

Respondent's conduct was likely to injure the patients in that the administration of Morphine Sulfate in excess dosage and/or frequency of the physician's order could result in the patients suffering from adverse reactions, including respiratory depression.

16. On or about October 19, 2002, through October 26, 2002, while employed at Abilene Regional Medical Center, Abilene, Texas, Respondent misappropriated Morphine Sulfate from 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 medication.
17. On or about February 6, 2003, through April 9, 2003, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew Morphine Sulfate, Diazepam, Hydromorphone, and Promethazine from the Pyxis Medication Dispensing System for patients but failed to accurately and completely document the administration of these medications in the patients' Medication Administration Records (MAR), Nurses Notes or both, as follows:

DATE/TIME	PATIENT	PYXIS	PHYSICIAN'S ORDER	MAR	NURSES NOTES	WASTAGE
2/6/03@1930	309296	MORPHINE SULFATE 10MG (1)	MORPHINE SULFATE 2MG IVP Q 5 MINS PRN	2MG-1930 2MG-1935 2MG-2100	2MG-1935 1930 2MG-2000	6MG-2119
2/6/03@2120	309296	MORPHINE SULFATE 4MG (1)	MORPHINE SULFATE 2MG IVP Q 5 MINS PRN	2MG-2125	2120	7.5MG-2137
2/6/03@2122	309296	DIAZEPAM 10MG (1)	VALIUM 2.5MG IV/PO Q 10MINS PRN, UP TO 10MG/4HRS	2.5MG-2125	NO	7.5MG-2137
2/6/03@2218	309296	DIAZEPAM 10MG (1)	VALIUM 2.5MG IV/PO Q 10MINS PRN, UP TO 10MG/4HRS	2.5MG-2220	NO	NO
2/7/03@0002	309296	MORPHINE SULFATE 4MG (1)	MORPHINE SULFATE 2MG IVP Q 5 MINS PRN	NO	NO	NO
2/7/03@0002	292413	MORPHINE SULFATE 4MG INJ (1)	MORPHINE 2MG IVP Q 5 MIN PRN, UP TO 20MG/2HRS	2MG-0002	NO	NO

2/7/03@0003	292413	DIAZEPAM 10MG INJ (1)	VALIUM 2.5MG IV/PO Q 10MIN, UP TO 10MG/4HRS	2.5MG- 0002	NO	NO
2/7/03@0303	309296	MORPHINE SULFATE 2MG INJ (2)	MORPHINE SULFATE 2MG IVP Q 5 MINS PRN	NO	NO	NO
2/7/03@0334	292413	MORPHINE SULFATE 2MG (1)	MORPHINE 2MG IVP Q 5MINS PRN, UP TO 20MG/2HRS	2MG- 0335	NO	NO
2/7/03@0334	292413	DIAZEPAM 10MG INJ	VALIUM 2.5MG IV PRN	2.5MG- 0335	NO	7.5MG-0336
2/7/03@0414	309296	MORPHINE SULFATE 2MG (2)	MORPHINE SULFATE 2MG IVP Q 5MINS PRN	0415 0420	NO	NO
2/7/03@2108	258592	MORPHINE SULFATE 10MG (1)	MORPHINE SULFATE 2- 5MG IV Q 1- 2HRS PRN	2MG- 2108	NO	NO
2/7/03@2109	258592	ALPRAZOLAM .25MG (1)	ALPRAZOLAM .25MG TAB TID	2200	NO	NO
2/7/03@2300	258592	MORPHINE SULFATE 10MG (1)	MORPHINE SULFATE 2- 5MG IV Q 1- 2HRS PRN	2MG- 2300	NO	8MG-2301
2/8/03@0412	258592	MORPHINE SULFATE 10MG INJ (1)	MORPHINE SULFATE 2- 5MG IV Q 1- 2HRS PRN	2MG- 0412	NO	NO
2/8/03@0539	258592	MORPHINE SULFATE 10MG INJ (1)	MORPHINE SULFATE 2- 5MG IV Q 1- 2HRS PRN	0600	NO	5MG-0616
2/8/03@0544	258592	ALPRAZOLAM .25MG (1)	ALPRAZOLAM .25MG TAB TID	0600	NO	NO

2/13/03@1853	129312	MORPHINE SULFATE 2MG (1)	MORPHINE SULFATE 2MG INJ Q 5MINS, UP TO 20MG/HR	1856	NO	NO
2/13/03@1902	129312	MORPHINE SULFATE 2MG (1)	MORPHINE SULFATE 2MG INJ Q 5MINS, UP TO 20MG/HR	1902	NO	NO
2/13/03@1921	129312	HYDRO- MORPHONE 4MG INJ (1)	DILAUDID 2MG Q 30 MINS PRN	NO	NO	2MG-1921
2/14/03@0258	129312	PROMETH- AZINE 25MG INJ (1)	PHENERGAN INJ 12.5MG Q 2HRS IVP PRN NAUSEA	0300	NO	NO
2/14/03@0259	129312	HYDRO- MORPHONE 2MG (1)	DILAUDID 2MG Q 30MINS PRN	0300	NO	NO
2/14/03@2047	129312	HYDRO- MORPHONE 2MG (1)	DILAUDID 2MG Q 30MINS PRN	2048	NO	NO
2/14/03@2232	129312	HYDRO- MORPHONE 2MG (1)	DILAUDID 2MG Q 30MINS PRN	2230	NO	NO
2/14/03@2315	129312	HYDRO- MORPHONE 2MG (1)	DILAUDID 2MG Q 30MINS PRN	2314	NO	NO
2/14/03@2315	129312	PROMETH- AZINE 25MG INJ (1)	PHENERGAN INJ 12.5MG Q 2HRS IVP PRN NAUSEA	NO	NO	NO
2/15/03@0212	309239	PROPOXY- PHENE APAP -100	PROPOXY- PHENE APAP -100 1 TAB Q 3HRS PRN	0215	NO	NO
2/15/03@0237	309239	MORPHINE SULFATE 2MG (1)	MORPHINE SULFATE 1MG Q 20MINS	1MG- 023	NO	1MG-0238
2/15/03@0330	309239	MORPHINE SULFATE 2MG (1)	MORPHINE SULFATE 1MG Q 20MINS	1MG- 0330	NO	1MG-0331

2/15/03@0423	309239	MORPHINE SULFATE 2MG (1)	MORPHINE SULFATE 1MG Q 20MINS	1MG- 0425	NO	1MG-0427
2/15/03@0454	309239	MORPHINE SULFATE 2MG (1)	MORPHINE SULFATE 1MG Q 20MINS	1MG- 0455	NO	1MG-0457
2/19/03@2003	126731	MEPERIDINE 50MG INJ (1)	MEPERIDINE 25-50MG IV PRN	50MG- 2005	NO	NO
2/19/03@2031	126731	LORAZEPAM 2MG (1)	ATIVAN 1MG IV Q 1-2HRS PRN	2030	NO	NO
2/19/03@2055	125807	MORPHINE SULFATE 8MG (1)	MORPHINE SULFATE 2- 8MG IVP Q 2- 4HRS PRN	4MG- 2150	NO	NO
2/19/03@2148	125807	MORPHINE SULFATE 8MG (1)	MORPHINE SULFATE 2- 8MG IVP Q 2- 4HRS PRN	4MG- 2200	NO	NO
2/19/03@2326	125807	MORPHINE SULFATE 4MG (2)	MORPHINE SULFATE 2- 8MG IVP Q 2- 4HRS PRN	8MG- 2330	NO	NO
2/20/03@0140	125807	MORPHINE SULFATE 4MG (2)	MORPHINE SULFATE 2- 8MG IVP Q 2- 4HRS PRN	8MG- 0140	NO	NO
2/20/03@0410	125807	MORPHINE SULFATE 4MG (2)	MORPHINE SULFATE 2- 8MG IVP Q 2- 4HRS PRN	8MG- 0410	NO	NO
2/20/03@0716	125807	MORPHINE SULFATE 4MG (2)	MORPHINE SULFATE 2- 8MG IVP Q 2- 4HRS PRN	8MG- 0720	NO	NO
2/21/03@0008	309711	MORPHINE SULFATE 4MG INJ (1)	MORPHINE SULFATE 2- 4MG IV PRN	4MG- 0010	NO	NO
2/21/03@0348	309711	MORPHINE SULFATE 4MG INJ (1)	MORPHINE SULFATE 2- 4MG IV PRN	4MG- 0350	NO	NO



4/8/03@1959	311055	MORPHINE SULFATE 4MG (1)	MORPHINE SULFATE 1- 4MG INJ Q 1HR PRN	4MG- 2005	NO	NO
4/8/03@2102	311055	MORPHINE SULFATE 4MG (1)	MORPHINE SULFATE 1- 4MG INJ Q 1HR PRN	4MG- 2101	NO	NO
4/8/03@2221	311055	MORPHINE SULFATE 4MG (1)	MORPHINE SULFATE 1- 4MG INJ Q 1HR PRN	4MG- 2220	NO	NO
4/9/03@0002	311055	MORPHINE SULFATE 4MG (1)	MORPHINE SULFATE 1- 4MG INJ Q 1HR PRN	0002	NO	NO
4/9/03@0319	311055	MORPHINE SULFATE 4MG (1)	MORPHINE SULFATE 1- 4MG INJ Q 1HR PRN	0320	NO	NO
4/9/03@0558	311055	MORPHINE SULFATE 4MG INJ	MORPHINE SULFATE 1- 4MG INJ Q 1 HR PRN	NO	NO	NO
4/9/03@0322	311055	MORPHINE SULFATE 4MG INJ	MORPHINE SULFATE 1- 4MG INJ Q 1 HR PRN	NO	NO	NO

Respondent's conduct was likely to injure patients in that subsequent care givers would rely on the documentation to further medicate the patient which could have resulted in over-medication.

18. On or about February 6, 2003, through April 9, 2003, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent withdrew Morphine Sulfate, Diazepam, Hydromorphone, and Promethazine from the Pyxis Medication Dispensing System for patients but failed follow policy and procedures in place for the wastage of these medications. 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).
19. On or about February 6, 2003, through April 9, 2003, while employed with Abilene Regional Medical Center, Abilene, Texas, Respondent misappropriated Morphine Sulfate, Diazepam, Hydromorphone, and Promethazine from the facility or patients thereof, or failed to take

precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients thereof the cost of the medications.

20. At the time of the initial incident described in Findings of Fact Number Twenty-One (21) through Twenty-Three (23), Respondent was employed as an Agency Nurse with Primestaff, Mint-Medical, Houston, Texas, and working at Midland Memorial Hospital, Midland, Texas, and had been in this position for one (1) month.
21. On or about August 18, 2003, through September 1, 2003, while employed with Primestaff, Mint-Medical, Houston, Texas, and working at Midland Memorial Hospital, Midland, Texas, Respondent withdrew Meperidine, Morphine Sulfate, and Hydromorphone from the Pyxis Medication Dispensing System for patients, but failed to accurately and completely document the administration of these medications in patients' Medication Administration Records (MAR), Nurses Notes or both, as follows:

DATE/TIME	PATIENT	PYXIS	PHYSICIAN'S ORDER	MAR	NURSES NOTES	WASTAGE
8/18/03@2138	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	NO	NO
8/18/03@2236	4000049828	MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	2225-2MG	2225-2 2230-2 2240-1	NO
8/19/03@0050	4000049828	MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0020 0050	0020-2 0045-2 0050-2 0055-1	NO
8/19/03@0121	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0120	0015-2 0120-2 0130-2 0145-2 0150-2	NO
8/19/03@0229	4000049828	MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0230	0230-2 0235-2 0240-1	NO
8/19/03@0337	4000049828	MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0337	0310-2 0315-2 0320-1	NO
8/19/03@1947	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	1930-2 1945-2	NO

8/19/03@2059	4000049828	MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	2100-2 2105-2 2115-1	NO
8/19/03@2259	4000049828	MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	2300	2300-2 2310-2 2315-2	NO
8/19/03@2316	4000049828	MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	2330-2 2335-2	NO
8/20/03@0058	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	0045-2 0050-2 0100-2	NO
8/20/03@0245	4000049828	MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0245	0245-2 0330-2 0345-1	NO
8/20/03@0542	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0545	0535-2	NO
8/20/03@1948	4000049828	MORPHINE SULFATE MORPHINE SULFATE 5MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	1930-2	3MG
8/20/03@2018	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	2018-2 2032-2	NO
8/20/03@2208	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	NO	NO
8/20/03@2327	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	2330	NO	NO
8/21/03@0032	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0125	0025-2 0030-2 0035-2 0040-2 0045-2	NO

8/21/03@0253	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0305	0250-2 0300-2 0305-2 0315-2	NO
8/21/03@0419	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	0515	0515-2	NO
8/21/03@0523	4000049828	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IVP PRN SEDATION	NO	0523-2 0530-2 0535-2	NO
8/28/03@2059	4000168548	MORPHINE SULFATE 10MG	MORPHINE SULFATE 3MG Q 15 MIN PRN	NO	NO	NO
8/29/03@0032	4000168548	MORPHINE SULFATE 10MG	MORPHINE SULFATE 3MG Q 15 MIN PRN	NO	NO	NO
8/29/03@0446	4000168548	MORPHINE SULFATE 10MG	MORPHINE SULFATE 3MG Q 15 MIN PRN	NO	NO	NO
8/29/03@1952	4000168548	MORPHINE SULFATE 10MG	MORPHINE SULFATE 3MG Q 15 MIN PRN	NO	NO	NO
8/29/03@2100	4000168548	MORPHINE SULFATE 10MG	MORPHINE SULFATE 3MG Q 15 MIN PRN	NO	NO	NO
8/30/03@0038	4000168548	MORPHINE SULFATE 10MG	MORPHINE SULFATE 3MG Q 15 MIN PRN	NO	NO	NO
8/30/03@0147	4000168548	MORPHINE SULFATE 10MG	MORPHINE SULFATE 3MG Q 15 MIN PRN	NO	NO	NO
8/30/03@0250	4000168548	MORPHINE SULFATE 10MG	MORPHINE SULFATE 3MG Q 15 MIN PRN	NO	NO	NO
8/16/03@2022	4000069873	MORPHINE SULFATE 5MG (2)	MORPHINE SULFATE 2MG IV PRN PAIN/ SEDATION	NO	NO	NO
8/16/03@2340	4000069873	MORPHINE SULFATE 5MG (2)	MORPHINE SULFATE 2MG IV PRN PAIN/ SEDATION	NO	NO	NO

8/18/03@1951	4000069873	MORPHINE SULFATE 10MG	MORPHINE SULFATE 2MG IV PRN PAIN/ SEDATION	NO	NO	NO
8/30/03@1937	4000238219	HYDRO-MORPHONE 2MG (2)	NO ORDER	NO	NO	NO
8/30/03@2305	4000238219	HYDRO-MORPHONE 2MG (2)	HYDRO-MORPHONE 2-4MG IVP Q 1-2 HRS	NO	NO	NO
8/30/03@0234	4000238219	HYDRO-MORPHONE 2MG (2)	HYDRO-MORPHONE 2-4MG IVP Q 1-2 HRS	NO	NO	NO
8/31/03@0534	4000238219	HYDRO-MORPHONE 2MG (2)	HYDRO-MORPHONE 2-4MG IVP Q 1-2 HRS	NO	NO	NO
9/1/03@2032	4000238219	HYDRO-MORPHONE 2MG (2)	HYDRO-MORPHONE 2-4MG IVP Q 1-2 HRS	NO	NO	NO
9/1/03@2232	4000238219	HYDRO-MORPHONE 2MG (2)	HYDRO-MORPHONE 2-4MG IVP Q 1-2 HRS	NO	NO	NO

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on the documentation to further medicate the patient which could have resulted in over-medication.

22. On or about July 19, 2003, through September 1, 2003, while employed with Primestaff, Mint-Medical, Houston, Texas, and working at Midland Memorial Hospital, Midland, Texas, Respondent withdrew Meperidine, Morphine Sulfate, and Hydromorphone from the Pyxis Medication Dispensing System for patients but failed to follow the policy and procedures for the wastage of these medications. 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).
23. On or about July 19, 2003, through September 1, 2003, while employed with Primestaff, Mint-Medical, Houston, Texas, and working at Midland Memorial Hospital, Midland, Texas, Respondent misappropriated Meperidine, Morphine Sulfate, and Hydromorphone 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 thereof the cost of the medication.

24. 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.
25. The Board finds that there exists serious risks to public health and safety due to intemperate use of controlled substances or chemical dependency.
26. 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)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1),(3),(4),(18)&(19).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 660056, heretofore issued to HELEN LOUISE BLYTHE, including revocation of Respondent's professional 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):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee of five hundred dollars (\$500), payable to the TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Professional 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 privileges, if any, to practice professional 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 State of Texas 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 professional nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

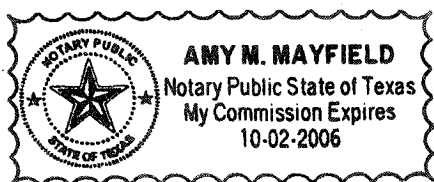
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By 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 Board of Nurse Examiners, 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 6 day of Feb., 2004.

Helene Louise Blythe  
HELEN LOUISE BLYTHE, Respondent

Sworn to and subscribed before me this 6 day of February, 2004.

SEAL



Amy M. Mayfield  
Notary Public in and for the State of Texas

Approved as to form and substance.

Art Williams  
ART WILLIAMS, Attorney for Respondent

Signed this 6 day of Feb, 2004.

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that was signed on the 6th day of February, 2004, by HELEN LOUISE BLYTHE, License Number 660056, and said Order is final.

Entered and effective this 13th day of February, 2004.



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