

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of License Number 522799     §     AGREED  
issued to LISA ANN YOUNG                    §     ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of LISA ANN YOUNG, License Number 522799, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(9), Revised Civil Statutes of Texas, as amended. Section 301.452(b)(9) & (10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on October 17, 2001, 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 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.
4. Respondent received an Associate Degree in Nursing from El Centro College, Dallas, Texas in December 1984. Respondent was licensed to practice professional nursing in the State of Texas on March 20, 1985.

5. Respondent's professional employment history includes:

- |                  |   |
|------------------|---|
| 5/84 to 5/85     | LVN/Triage Nurse<br>Medical Treatment Center<br>Garland, Texas                                      |
| 7/85 to 10/95    | Assistant Director of Nursing/Director of OB<br>Physician's Regional Medical Center<br>Wylie, Texas |
| 3/95 to 6/95     | Staff Nurse<br>Medical Center of Plano<br>Plano, Texas  |
| 10/95 to 12/95   | Agency Nurse<br>Protouch Nurses<br>Plano, Texas   |
| 12/95 to 11/99   | Staff Nurse<br>Medical Center of Plano<br>Plano, Texas  |
| 12/99 to Present | Unknown   |

6. At the time of the incidents, Respondent was employed as a Staff Nurse with Medical Center of Plano, Plano, Texas, and had been in this position for three (3) years and five (5) months.
7. Respondent, while employed with Medical Center of Plano, Plano, Texas, during a period of time from May 1999 through September 1999, misappropriated Lortab belonging to the facility and the patients. Respondent's conduct was likely to defraud the facility and the patients of the cost of the medication.
8. Respondent, while employed with Medical Center of Plano, Plano, Texas, during a period of time from May 1999 through September 1999, made false entries in pharmacy records by withdrawing Lortab from the pyxis medication system, on numerous occasions, using the passwords belonging to other staff members. Respondent's conduct was likely to deceive the pharmacy and was likely to defraud the patients and facility of the cost of the medication.

9. Respondent, while employed with Medical Center of Plano, Plano, Texas, during a period of time from May 1999 through October 1999, engaged in the imtemperate use of Lortab. Possession of Lortab is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Lortab by a Registered 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.
10. Respondent, while employed with Medical Center of Plano, Plano, Texas, withdrew Lortab from the pyxis medication system for patients but failed to document the administration of Lortab in the patients' Medication Administration Record (MAR) and Nurses Notes, as follows:

Date	Time	Patient	Physician's Order	Pyxis Record	MAR	Nurses Notes
8/17/99	1112	E00964749758	No Order	1 Lortab 7.5mg	No	No
9/2/99	1755	E00964495521	No Order	1 Lortab 10 mg	No	No
9/2/99	1203	E00964805493	No Order until 1:30 on 9/2/99	2 Lortab 7.5mg	No	No
9/2/99	1646	E00964809150	No Order	2 Lortab 7.5mg	No	No
9/2/99	1646	E00964654822	Lortab 10mg 1tab PO Q3-4hrs PRN pain	2 Lortab 7.5mg	No	No
9/2/99	1647	E00964726673	Lortab 10mg 1PO Q 3-4hrs PRN pain	2 Lortab 7.5mg	No	No
9/7/99	1045	E00964773064	Not a patient on 9/7/99	2 Lortab 7.5mg	No	No
9/7/99	1045	E00964	No Order	2 Lortab 7.5mg	No	No
9/7/99	1621	same	No Order	2 Lortab 7.5mg	No	No
9/7/99	1735	E00964700085	No Order	2 Lortab 7.5mg	No	No
9/7/99	1736	E00964	No Order	2 Lortab 7.5mg	No	No
9/7/99	1736	E00964875159	Lortab 10mg 1 PO Q 3-4 hrs PRN pain	2 Lortab 7.5mg	No	No
9/7/99	1737	E00964700794	No Order	1 Lortab 10mg	No	No
9/7/99	1737	E00964825243	No Order	1 Lortab 10 mg	No	No
9/7/99	1738	E00964700794	No Order	1 Lortab 10mg	No	No
9/9/99	1213	E00964	No Order	2 Lortab 7.5mg	No	No

9/14/99	1206	E00964885465	No Order	2 Lortab 7.5mg	No	No
9/17/99	1731	E00964816573	No Order	2 Lortab 7.5mg	No	No
9/21/99	1705	E00964876707	No Order	1 Lortab 10mg	No	No
9/21/99	1705	E00964589481	No Order	1 Lortab 10mg	No	No
9/21/99	1756	E00964766184	No Order	2 Lortab 7.5mg	No	No
9/21/99	1758	E00964868320	No Order, discharged on 9/21/99 at 1356	2 Lortab 7.5mg	No	No
9/23/99	0944	E00964881051	Lortab 10mg 1 PO Q 4 hrs PRN Pain	2 Lortab 7.5mg	No	No

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

11. Respondent, while employed with Medical Center of Plano, Plano, Texas, withdrew Lortab from the pyxis medication system for patients who did not have a physician's order for Lortab, as follows:

Date	Time	Patient	Physician's Order	Pyxis Record
8/17/99	1112	E00964749758	No Order	1 Lortab 7.5mg
9/2/99	1755	E00964495521	No Order	1 Lortab 10 mg
9/2/99	1203	E00964805493	No Order until 1:30 on 9/2/99	2 Lortab 7.5mg
9/2/99	1646	E00964809150	No Order	2 Lortab 7.5mg
9/7/99	1045	E00964773064	Not a patient on 9/7/99	2 Lortab 7.5mg
9/7/99	1045	E00964	No Order	2 Lortab 7.5mg
9/7/99	1621	same	No Order	2 Lortab 7.5mg
9/7/99	1735	E00964700085	No Order	2 Lortab 7.5mg
9/7/99	1736	E00964	No Order	2 Lortab 7.5mg
9/7/99	1737	E00964700794	No Order	1 Lortab 10mg
9/7/99	1737	E00964825243	No Order	1 Lortab 10 mg
9/7/99	1738	E00964700794	No Order	1 Lortab 10mg
9/9/99	1213	E00964	No Order	2 Lortab 7.5mg
9/14/99	1206	E00964885465	No Order	2 Lortab 7.5mg

9/17/99	1731	E00964816573	No Order	2 Lortab 7.5mg
9/21/99	1705	E00964876707	No Order	1 Lortab 10mg
9/21/99	1705	E00964589481	No Order	1 Lortab 10mg
9/21/99	1756	E00964766184	No Order	2 Lortab 7.5mg
9/21/99	1758	E00964868320	No Order, discharged on 9/21/99 at 1356	2 Lortab 7.5mg

Respondent's conduct was likely to injure the patients in that the administration of Lortab to patients without a physician's order could result in the patients suffering from adverse reactions.

12. Respondent, while employed with Medical Center of Plano, Plano, Texas, withdrew Lortab from the pyxis medication system for patients who were not on the unit or who were not in the hospital on the date of the withdrawal, as follows:

Date	Time	Patient	Physician's Order	Pyxis Record	MAR	Nurses Notes
8/17/99	1112	E00964749758	No Order	1 Lortab 7.5mg	No	No
9/2/99	1755	E00964495521	No Order	1 Lortab 10 mg	No	No
9/2/99	1646	E00964654822	Lortab 10mg 1tab PO Q3-4hrs PRN pain	2 Lortab 7.5mg	No	No
9/2/99	1647	E00964726673	Lortab 10mg 1PO Q 3-4 hrs PRN pain	2 Lortab 7.5mg	No	No
9/7/99	1045	E00964773064	Not a patient on 9/7/99	2 Lortab 7.5mg	No	No
9/7/99	1045	E00964	No Order	2 Lortab 7.5mg	No	No
9/7/99	1621	same	No Order	2 Lortab 7.5mg	No	No
9/7/99	1736	E00964875159	Lortab 10mg 1 PO Q 3-4 hrs PRN pain	2 Lortab 7.5mg	No	No
9/7/99	1737	E00964825243	No Order	1 Lortab 10 mg	No	No

Respondent's conduct was likely to defraud patients and the facility of the cost of the medication.

13. Respondent, while employed with Medical Center of Plano, Plano, Texas, withdrew Lortab from the pyxis medication system for patients which was in excess dosage of the physician's order, as follows:

Date	Time	Patient	Physician's Order	Pyxis Record
9/2/99	1646	E00964654822	Lortab 10mg 1tab PO Q 3-4hrs PRN pain	2 Lortab 7.5mg
9/2/99	1647	E00964726673	Lortab 10mg 1tab PO Q 3-4hrs PRN pain	2 Lortab 7.5mg
9/7/99	1736	E00964875159	Lortab 10mg 1 tab PO Q 3-4hrs PRN pain	2 Lortab 7.5mg
9/23/99	0944	E00964881051	Lortab 10mg 1 tab PO Q 4 hrs PRN Pain	2 Lortab 7.5mg
9/23/99	1801	E00964877468	Lortab 10mg 1 tab PO Q 3-4hrs PRN Pain	2 Lortab 7.5mg

Respondent's conduct was likely to injure the patients in that the administration of Lortab to patients in excess dosage of the physician's order could result in the patient suffering from respiratory depression.

14. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Article 4525a, TEX. REV. STAT. ANN.
15. 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.
16. 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.
17. Respondent's conduct described in Findings Number six (6) through twelve (12) resulted from Respondent's impairment by dependency on chemicals.
18. 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 Article 4525(b)(8) & (9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(1), (3), (5) & (15).

4. The evidence received is sufficient to prove violations of Section 301.452(b)(9) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1), (3), (19) & (20).
5. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 522799, heretofore issued to LISA ANN YOUNG, including revocation of Respondent's professional license to practice nursing in the State of Texas.
6. 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.

(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

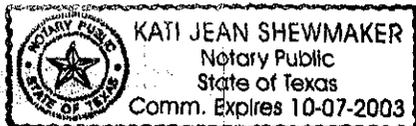
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this 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 29 day of October, 2001.

Lisa Ann Young  
LISA ANN YOUNG, Respondent

Sworn to and subscribed before me this 29 day of October, 2001.

SEAL



Kati Jean Sheemaker  
Notary Public in and for the State of Texas

Approved as to form and substance.

Victoria G. Warner  
Victoria G. Warner, Attorney for Respondent

Signed this 30 day of October, 2001.

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 29<sup>th</sup> day of October, 2001, by LISA ANN YOUNG, License Number 522799, and said Order is final.

Entered and effective this 5<sup>th</sup> day of November, 2001.



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