

Respondent's nursing employment history continued:

02/2015 - 07/2015	RN	New York Presbyterian Lower Manhattan New York, New York
08/2015 - 11/2015	RN	O'Conner Hospital San Jose, California
11/2015 - 12/2016	RN	Baylor Scott & White Medical Center - Lakeway Lakeway, Texas
03/2016 - 12/2016	RN	Hydreliief Austin, Texas
01/2017 - Present	RN	Unknown

6. At the time of the incident, Respondent was employed as a Registered Nurse with Baylor Scott & White Medical Center - Lakeway, Lakeway, Texas, and had been in that position for one (1) year and one (1) month.
7. On or about November 22, 2016 through December 8, 2016, while employed as a Registered Nurse in the Emergency Department of Baylor Scott & White Medical Center - Lakeway, Lakeway, Texas, Respondent withdrew one (1) injection of Hydromorphone 1mg/1ml and four (4) vials of Morphine 4mg/1ml from the medication dispensing system for patients without a valid physician's order. In addition, Respondent administered these same medications to patients without a valid physician's order. Respondent's conduct was likely to injure the patients, in that the administration of medications without a valid physician's order could result in the patients suffering from adverse reactions, and Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled substance Act) of the Texas Health and Safety Code..
8. On or about November 22, 2016 through December 8, 2016, while employed as a Registered Nurse in the Emergency Department of Baylor Scott & White Medical Center - Lakeway, Lakeway, Texas, Respondent withdrew one (1) injection of Hydromorphone 1mg/1ml and three (3) vials of Morphine 4mg/1ml from the medication dispensing system for patients, but failed to document and/or completely and accurately document the administration and of the medication in the patient's Medication Administration Records and/or nurses' notes. 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. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

9. On or about November 22, 2016 through December 8, 2016, while employed as a Registered Nurse in the Emergency Department of Baylor Scott & White Medical Center - Lakeway, Lakeway, Texas, Respondent withdrew three (3) injections of Hydromorphone 1mg/1ml, three (3) vials of Morphine 4mg/1ml, one (1) vial of Lorazepam 2mg/1ml, and three (3) vials of Fentanyl 100mcg from the medication dispensing system for patients, but failed to follow the facility's policy and procedures for wastage of the unused portions of the medications. Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substance Act) of the Texas Health and Safety Code.
10. On or about November 22, 2016 through December 13, 2016, while employed as a Registered Nurse in the Emergency Department of Baylor Scott & White Medical Center - Lakeway, Lakeway, Texas, Respondent misappropriated three (3) injections of Hydromorphone 1mg/1ml, three (3) vials of Morphine 4mg/1ml, one (1) vial of Lorazepam 2mg/1ml, and three (3) vials Fentanyl 100mcg 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 thereof of the cost of the medications.
11. In response to Findings of Fact Numbers Seven (7) through Ten (10), Respondent states the department was inefficiently and inappropriately staffed with inexperienced nurses, including those who did not have access to the medication dispensing system. She claims the medications were removed in error by her due to an error in the dispensing system, which did not have safe guards to help ensure the right medications were removed for the right person. Respondent states she was frequently relied on to remove medications for the majority of the patients treated in the department. Often medications could have been removed under her name by someone other than her while her account was still logged in. She states she attempted to document to the best of her ability, but claims without an approved procedure, this documentation can be rejected or mishandled.
12. On or about November 14, 2017, Respondent underwent a Chemical Dependency Evaluation performed by Jim Womack, PhD. Dr. Womack advises Respondent did not identify having any alcohol or drug use patterns and does not have a current substance abuse problem. Dr. Womack states it is apparent Respondent violated hospital policy in order to circumvent electronic challenges to obtain medications for patients.

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(s) of 22 TEX. ADMIN. CODE § 217.11(1)(A), (1)(B), (1)(D) & (3) and 22 TEX. ADMIN. CODE § 217.12(1)(A), (1)(B), (1)(C), (4), (6)(G), (10)(C) & (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10) & (13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 796145, heretofore issued to LAUREN SHEREE LINDSEY.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully

complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) 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. Home study courses and video programs will not be approved.
- B. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- C. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention

of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Indirect Supervision:** RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational 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.

- D. Nursing Performance Evaluations:** 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 individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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(s) alleged herein. By my signature on this Order, I agree to the entry of this 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 27 day of January, 2018.

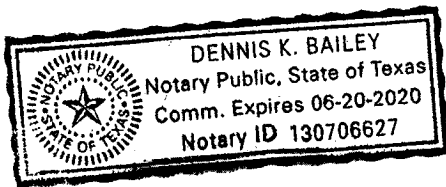
Lauren Lindsey
LAUREN SHEREE LINDSEY, Respondent

Sworn to and subscribed before me this 27 day of January, 2018.

SEAL

Dennis K Bailey

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 27th day of January, 2018, by LAUREN SHEREE LINDSEY, Registered Nurse License Number 796145, and said Order is final.

Effective this 13th day of March, 2018.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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