

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Permanent Certificate     §  
Number 578037 issued to                   §                   AGREED ORDER  
SUZAN MARIE MORTON                         §

An investigation by the Board produced evidence indicating that SUZAN MARIE MORTON, hereinafter referred to as Respondent, may have violated Article 4525(b)(8) and (11), Revised Civil Statutes of Texas as amended.

An informal hearing was held on May 4, 1994, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Respondent appeared in person. Respondent was represented by Richard H. Ihfe, Attorney at Law. In attendance were Louise Waddill, Ph.D., RN, Executive Director; Pat Crowe, Board Member; Roy Rawls, Assistant General Counsel; Cady Crismon, MSN, RN, CNS, Director of Practice and Compliance; and Anthony L. Diggs, Investigator.

FINDINGS OF FACT

1. Respondent received her license to practice professional nursing in March of 1992 by the Board of Nurse Examiners for the State of Texas. It remains current.
2. Respondent received an Associates Degree in Nursing from San Antonio Community College, San Antonio, Texas, in 1991.
3. Respondent was employed as a Registered Nurse by Southwest Texas Methodist Hospital, San Antonio, Texas, from July of 1991 through March of 1992. Respondent was then employed as a Registered Nurse in Nursing Services by Medical Center Hospital, San Antonio, Texas, from June of 1992 through July of 1992. Respondent has been employed with Charter Real Hospital, San Antonio, Texas, from September of 1993 to present.
4. At the time of the initial incident (January of 1992), Respondent was a Graduate Nurse.
5. Charges were filed on December 1, 1993.
6. Charges were mailed to Respondent on December 3, 1993.

7. On or about January of 1992 through March of 1992, while employed with Southwest Texas Methodist Hospital, San Antonio, Texas, Respondent engaged in the intemperate use of alcohol.
8. On or about January of 1992, while employed with the aforementioned facility, Respondent was diagnosed with Depression and suffering with "Panic Attacks".
9. On or about July of 1992, while employed with Medical Center Hospital, San Antonio, Texas, Respondent lacked the fitness to practice professional nursing as evidenced by "constant irritability, anxiety and paranoia".

#### CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended the Board has jurisdiction over this matter.
2. That the evidence received was sufficient to prove violation(s) of Article 4525(b)(8) and (11), TEX. REV. CIV. STAT. ANN.
3. That the activities of the Respondent constituted sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 578037, heretofore issued to SUZAN MARIE MORTON.

#### AGREED TERMS, STIPULATIONS AND CONDITIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that Respondent receive the discipline of a reprimand with stipulations to practice as follows for two (2) years:

(1) Respondent shall comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and the Terms, Stipulations and Conditions of this Order.

(2) IT IS FURTHER AGREED that the wallet-size license issued to SUZAN MARIE MORTON, be delivered to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(3) RESPONDENT shall notify each present employer in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT shall present a copy of this Order to each present employer within five (5) days of notification of this Order. RESPONDENT shall notify all potential employers in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT shall present a copy of this Order to each potential employer prior to employment.

(4) RESPONDENT shall cause each present employer in professional nursing to submit the Notification of Employment form to the Board's office within ten (10) days of notification of this Order. RESPONDENT shall cause each potential employer to submit the Notification of Employment form to the Board's office within five (5) days of employment as a professional nurse.

(5) RESPONDENT shall be supervised by a registered nurse who is on the premises. RESPONDENT shall work only regularly assigned, identified and predetermined unit(s). RESPONDENT shall not be employed by a nurse registry, temporary nurse employment agency or home health agency. RESPONDENT shall not be self employed or contract for services. Multiple employers are prohibited.

(6) RESPONDENT shall cause each employer to submit, on forms provided by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the registered nurse who supervises the RESPONDENT. These reports shall be submitted to the office of the Board at the end of each three (3) months for two (2) years of employment as a professional nurse.

(7) RESPONDENT shall not practice as a professional nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the assigned unit(s) for one (1) year of employment as a professional nurse.

(8) RESPONDENT shall not administer or have any contact with controlled substances, Nubain, or Stadol for one (1) year of employment as a professional nurse.

(9) RESPONDENT shall abstain from the consumption of alcohol, Nubain, Stadol and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. 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.

(10) RESPONDENT shall submit to random periodic screens for controlled substances and alcohol.

For the first three (3) month period, random screens are to be performed at least once per week.

For the second three (3) month period, random screens are to be performed at least once per month.

For the remainder of the stipulation/probation period, random screens are to be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Methaqualone
Barbiturates	Opiates
Benzodiazepines	Phencyclidine
Cocaine Metabolites	Propoxyphene
Hydrocodone	Meperidine
Marijuana Metabolites	Ethanol
Methadone	

All screens shall be properly monitored and production of specimen personally observed by the employer's designee. A complete chain of custody shall be maintained for each specimen obtained and analyzed.

RESPONDENT shall cause the employer/laboratory to send the written results of each random screen to the Office of the Board within five (5) days of the date that the screen is analyzed. If any screen tests positive for alcohol and/or controlled substances for which the RESPONDENT does not have a valid prescription, the employer/laboratory shall report such results to the Board Office on the day that the results are received by calling the Board Office and reporting the positive results to an investigator.

(11) 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 professional nursing. The report must indicate whether or not the RESPONDENT's emotional stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months or until RESPONDENT is dismissed from therapy. The reports shall then be required at the end of each three (3) months for the duration of the stipulation period, or until RESPONDENT is dismissed from therapy.

(12) RESPONDENT shall attend at least two (2) support group meetings each week and shall provide acceptable evidence of attendance. Acceptable evidence means the date of each meeting, the name of each group attended, and the signature or signed initials of the chairperson of each group attended by

RESPONDENT. The weekly meetings shall consist of a minimum of one (1) support group for substance abuse. 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.

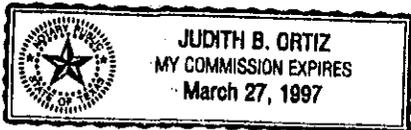
RESPONDENT'S CERTIFICATION

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 truth of the matters previously set out. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Terms, Stipulations and Conditions to avoid further disciplinary action in this matter; and, I consent to the issuance of this discipline. I waive my right to a hearing and judicial review of this Order. I understand that this Order is subject to ratification by the Board and becomes effective when signed by the Executive Director of the Board.

Dated this 19 day of May, 1994.  
Suzan Marie Morton  
SUZAN MARIE MORTON

Sworn to and subscribed before me this 19<sup>th</sup> day of May, 1994.

SEAL



Judith B. Ortiz  
Notary Public in and for the State of TX

Approved as to form and substance.



Richard H. Ihfe, Attorney for Respondent

Dated this 19<sup>th</sup> day of May, 1994.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order signed by SUZAN MARIE MORTON, license number 578037, on the 19<sup>th</sup> day of May, 1994, and said Order is final.

Signed this 16<sup>th</sup> day of June, 1994.



Louise Waddill, Ph.D., R.N.  
Executive Director on behalf  
of said Board