

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Vocational Nurse	§	AGREED
License Number 174907	§	
issued to CHRISTOPHER PAUL BRIGHTBILL	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of CHRISTOPHER PAUL BRIGHTBILL, Vocational Nurse License Number 174907, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402(a)(9)&(10), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on February 1, 2007, 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from South Plains College, Lubbock, Texas, on December 17, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on January 25, 2000.
5. Respondent's nursing employment history includes:

01/2000 - 01/2002	Staff Nurse	University Medical Center Lubbock, Texas
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9. On or about April 9, 2002, while employed as a Staff Nurse with St. Paul Medical Center, Dallas, Texas, Respondent withdrew two (2) capsules of Temazepam 15 mg from the AcuDose Dispensing System for Patient Number 13019827 at 23:55 but documented that the medication was administered to the patient seventy (70) minutes earlier, at 22:45, before it had been obtained. Respondent states that he documented the entry four (4) or five (5) hours after the fact, and mistakenly documented the wrong time of administration. Respondent's conduct resulted in an incomplete medical record, was likely to injure the patient in that subsequent care givers would not have accurate information on which to base their care decisions, and placed the facility in violation of Chapter 481, Texas Health & Safety Code (Controlled Substances Act).
10. On or about April 14, 2002, through April 16, 2002, while employed as a Staff Nurse with St. Paul Medical Center, Dallas, Texas, Respondent withdrew Morphine Sulfate from the AcuDose Dispensing System for Patient Number 13023743 but failed to document administration of the Morphine in the medical record, as follows:

AcuDose Medication Dispensing System Withdrawals			Physician's Order	Medication Administration Record	Nurse Notes	Wastage
Date & Time	Qty	Dosage				
4/14/02 @ 03:27	1	10 mg	Morphine Sulfate 1 - 2 mg IV q 2- 4 hr prn	No	No	8 mg
4/15/02 @ 20:31	1	10 mg	Morphine Sulfate 1 - 2 mg IV q 2- 4 hr prn	No	No	8 mg
4/16/02 @ 03:37	1	10 mg	Morphine Sulfate 1 - 2 mg IV q 2- 4 hr prn	No	No	8 mg
4/16/02 @ 23:11	1	10 mg	Morphine Sulfate 1 - 2 mg IV q 2- 4 hr prn	No	No	8 mg

- Respondent's conduct resulted in an incomplete medical record, was likely to injure the patient in that subsequent care givers would not have accurate information on which to base their care decisions, and placed the facility in violation of Chapter 481, Texas Health & Safety Code (Controlled Substances Act).
11. On or about September 30, 2003, while employed as a Staff Nurse with Baylor University Medical Center, Dallas, Texas, Respondent engaged in the intemperate use of Hydrocodone and Oxycodone in that Respondent produced a specimen for a drug screen which tested positive for Hydrocodone and Oxycodone. Possession of Hydrocodone and Oxycodone without a valid prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Hydrocodone and Oxycodone by a nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patients' conditions, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing patients in potential danger.

12. Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 302.201-302.206, Texas Occupations Code.
13. 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.
14. Respondent's conduct described in the preceding Findings of Fact resulted from and/or was significantly influenced by Respondent's impairment by dependency on chemicals.
15. 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 violation of Section 302.402(a)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(3),(10)&(28).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 174907, heretofore issued to CHRISTOPHER PAUL BRIGHTBILL, including revocation of Respondent's license to practice vocational 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 in the amount of three hundred fifty dollars (\$350) payable to 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 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 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 nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

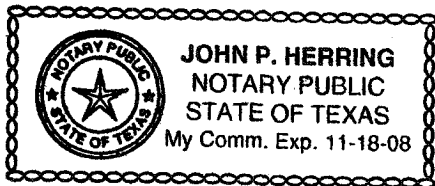
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 24 day of February, 2007.

Christopher Paul Brightbill
CHRISTOPHER PAUL BRIGHTBILL, Respondent

Sworn to and subscribed before me this 24 day of Feb, 2007.

SEAL



John Herring
Notary Public in and for the State of Texas

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 24th day of February, 2007, by CHRISTOPHER PAUL BRIGHTBILL, Vocational Nurse License Number 174907, and said Order is final.

Entered and effective this 28th day of February, 2007.



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