



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse           §        AGREED  
License Number 765463                       §  
issued to PATRICIA DIANN SIECK           §        ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of PATRICIA DIANN SIECK, Registered Nurse License Number 765463, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 3, 2011, 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(s).
2. Respondent waived representation by counsel, informal proceedings, 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 a Baccalaureate Degree in Nursing from West Texas A&M University, Canyon, Texas, on December 13, 2008. Respondent was licensed to practice professional nursing in the State of Texas on February 10, 2009.
5. Respondent's complete professional nursing employment history includes:
 

02/09-02/11	RN	Baptist St. Anthony Health System Amarillo, Texas
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Respondent's complete professional nursing employment history includes (continued):

03/11-Present                      Unknown

6. At the time of the incidents as stated in Finding of Fact Numbers Seven (7) through Twelve (12), Respondent was employed as a Registered Nurse with Baptist St. Anthony Health System, Amarillo, Texas, and had been in this position for approximately two (2) years.
7. On or about January 7, 2011, through January 24, 2011, while employed as a Registered Nurse with Baptist St. Anthony Health System, Amarillo, Texas, Respondent withdrew Dilaudid from the Medication Dispensing System for patients, but failed to document, or completely document the administration of, including signs, symptoms and responses to the medications in the patients' Medication Administration Records and/or nurse's notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient, which could result in an overdose.
8. On or about January 7, 2011, through January 24, 2011, while employed as a Registered Nurse with Baptist St. Anthony Health System, Amarillo, Texas, Respondent withdrew Dilaudid from the Medication Dispensing System for patients without valid physicians' orders. Respondent's conduct was likely to injure the patient, in that administration of Dilaudid, without a valid physician's order could result in the patients experiencing adverse reactions.
9. On or about January 7, 2011, through January 24, 2011, while employed as a Registered Nurse with Baptist St. Anthony Health System, Amarillo, Texas, Respondent withdrew Dilaudid from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications. Respondent's conduct was likely to deceive the hospital pharmacy and placed them violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
10. On or about January 7, 2011, through January 24, 2011, while employed as a Registered Nurse with Baptist St. Anthony Health System, Amarillo, Texas, Respondent misappropriated Diluadid 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 medications.
11. On or about January 24, 2011, while employed as a Registered Nurse with Baptist St. Anthony Health System, Amarillo, Texas, Respondent misappropriated four (4) empty vials of Dilaudid, one (1) 2mg vial of Dilaudid, three (3) vials of Zofran, one (1) 25mg vial of Promethazine, and two (2) used 30 gauge 1/2inch hypodermic needles, which were discovered when Respondent was confronted about the above-mentioned Dilaudid discrepancies and was asked to empty out her scrub pockets. Respondent's conduct was likely to defraud the facility of the cost of the medications and supplies.

12. On or about January 24, 2011, while employed as a Registered Nurse with Baptist St. Anthony Health System, Amarillo, Texas, Respondent may have lacked fitness to practice nursing in that her arm had fresh puncture wounds to her right antecubital region and when questioned, Respondent admitted that she started an IV on herself at home "for fluids". Respondent's condition may have prevented her from delivering safe nursing care.
13. 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.
14. 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.
15. Respondent's conduct described in Findings of Fact Numbers Seven (7) through Twelve (12) resulted from Respondent's dependency on chemicals.
16. 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), (12) &(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(B)&(C),(4),(5), (6)(A),(G)&(H),(10)(B)&(C) and (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 765463, heretofore issued to PATRICIA DIANN SIECK, including revocation of Respondent's license(s) 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 TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep her license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are 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 Texas Board of Nursing 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 EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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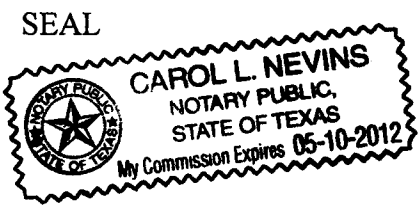
RESPONDENT'S CERTIFICATION

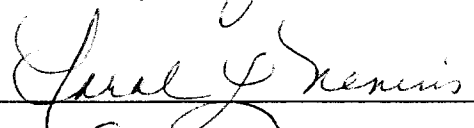
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer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

Signed this 3 day of June, 2011.

  
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PATRICIA DIANN SIECK, Respondent

Sworn to and subscribed before me this 3rd day of June, 2011.



  
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Notary Public in and for the State of Texas

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 3rd day of June, 2011, by PATRICIA DIANN SIECK, Registered Nurse License Number 765463, and said Order is final.



Entered and effective this 13th day of June, 2011.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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