



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

In the Matter of Registered Nurse License Number 735197 § AGREED
issued to KATHRYN ALICIA ARMITAGE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KATHRYN ALICIA ARMITAGE, Registered Nurse License Number 735197, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(8), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 18, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, subject to ratification by the Board.

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 proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent license to practice professional nursing in the State of Texas is currently in delinquent status.
4. Respondent received a RN Undergraduate Degree in Professional Nursing from Villanova University, Villanova, PA, on May 1, 2001. Respondent was licensed to practice professional nursing in the State of Texas on November 3, 2006.
5. Respondent's professional nursing employment history is currently unknown.

6. On or about October 21, 2009, Respondent's license to practice professional nursing in the State of Connecticut was issued a Consent Order by the State of Connecticut's Department of Public Health, Hartford, Connecticut. A copy of the State of Connecticut Consent Order, dated October 21, 2009, is attached and incorporated, by reference, as part of this Order.
7. On or about March 2, 2011, Respondent's license to practice professional nursing in the State of Connecticut was issued a Consent Order by the State of Connecticut's Department of Public Health, Hartford, Connecticut. A copy of the State of Connecticut Consent Order, dated March 2, 2011, is attached and incorporated, by reference, as part of this Order..
8. On or about February 15, 2012, Respondent's Consent Order, dated March 2, 2011, issued by the State of Connecticut's Department of Public Health, Hartford, Connecticut was Modified. A copy of the State of Connecticut Modification of Consent Order, dated February 15, 2012, is attached and incorporated, by reference, as part of this Order.
9. The Orders referenced in Findings of Fact Numbers Six (6) through Eight (8) contain specific findings regarding Respondent's conduct. The Board's knowledge of the specific nature of the misconduct is limited to the findings included in the Connecticut Orders. The Board has no information suggesting Respondent's misconduct caused direct or indirect patient harm. Respondent provides that she is currently compliant with the Connecticut Orders referenced in Findings of Fact Numbers Six (6) through Eight (8).
10. Credible evidence verifies Respondent's sobriety is February 22, 2010.
11. This Order is solely based upon the Orders referenced in Findings of Fact Numbers Six (6) through Eight (8).
12. Formal Charges were filed on October 11, 2011. First Amended Formal Charges were filed on February 20, 2012. Second Amended Formal Charges were filed on June 29, 2012.
13. Formal Charges were mailed to Respondent on October 13, 2011. First Amended Formal Charges were mailed to Respondent on March 5, 2012. Second Amended Formal Charges were mailed to Respondent on June 29, 2012.

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 of Section 301.452(b)(8), Texas

Occupations Code.

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 735197, heretofore issued to KATHRYN ALICIA ARMITAGE, including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 735197, previously issued to KATHRYN ALICIA ARMITAGE, to practice professional nursing in Texas is hereby SUSPENDED, with the suspension STAYED, and Respondent is hereby placed on PROBATION for a period of thirty (30) months with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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 is encumbered by this order the Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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.

(1) RESPONDENT SHALL 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.

(2) RESPONDENT SHALL fully comply with all the terms and conditions of the Consent Order issued to KATHRYN ALICIA ARMITAGE on May 2, 2011, by the State of Connecticut's Department of Public Health, and the Modification of Consent Order issued to KATHRYN ALICIA ARMITAGE on February 15, 2012, by the State of Connecticut's Department of Public Health. RESPONDENT SHALL CAUSE the State of Connecticut's Department of Public Health to submit quarterly reports, on forms provided by the Texas Board, that Respondent is in compliance with the Orders of the Board, and RESPONDENT SHALL cause the State of Connecticut's Department of Public Health to submit written verification of Respondent's successful completion of all Orders. Should Respondent decide to practice as a nurse in the State of Texas, evidence of compliance/completion with the terms of the Orders of the State of Connecticut's Department of Public Health will be accepted as evidence of compliance/completion of the terms of this Order issued by the Texas Board of Nursing. Receipt of written verification from the State of Connecticut's Department of Public Health of Respondent's successful completion of the Consent Order issued to Respondent on May 2, 2011, by the State of Connecticut's Department of Public Health, and the Modification of Consent Order issued to Respondent on February 15, 2012, by the State of Connecticut's Department of Public Health, SHALL serve as evidence sufficient to constitute successful completion of this Order, in its entirety, by the Texas Board of Nursing.

IT IS FURTHER AGREED and ORDERED that should Respondent practice as a nurse in the State of Texas following partial completion of the Orders of the State of Connecticut's Department of Public Health, Respondent's compliance/partial completion with the terms of those Orders will be accepted as credit towards the completion of the probation period and applicable stipulations of this Order between Respondent and the Texas Board of Nursing.

IT IS FURTHER AGREED and ORDERED the Board SHALL recognize, accept, and apply Respondent's compliance/completion of the terms, conditions, and requirements of the Connecticut Orders, including credit for time served under the Connecticut Orders, to the period of thirty (30) month period of probation required under this Order, with full and equal force in order to fully satisfy and discharge the terms, conditions, and requirements of this Order for all purposes.

IT IS FURTHER AGREED and ORDERED that should Respondent practice as a nurse in the State of Texas following partial completion of the Orders of the State of Connecticut's Department of Public Health, the stipulations of this Order SHALL come into effect and be in full force in their entirety until any remaining portion of the thirty (30) month period of probation has been completed.

(3) RESPONDENT SHALL pay a monitoring fee in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THIRTY (30) MONTHS OF EMPLOYMENT. THE LENGTH OF THE

PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY (30) MONTHS 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 STIPULATION PERIOD:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the probation conditions on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) 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.

(9) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates for one (1) year of employment as a nurse.

(10) 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 nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for thirty (30) months of employment as a nurse.

(11) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, 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. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator.**

The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

(12) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or failure

to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

(13) 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 nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended beyond the initial three (3) months, the reports shall then be required at the end of each three (3) month period for the remainder of the probation period, or until RESPONDENT is dismissed from therapy.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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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, 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 July, 2012.

Kathryn Armitage
KATHRYN ALICIA ARMITAGE, Respondent

Sworn to and subscribed before me this 24 day of July, 2012.

SEAL

Priscilla Paul

Notary Public in and for the State of CT
by Commission Expires Jan. 31, 2015

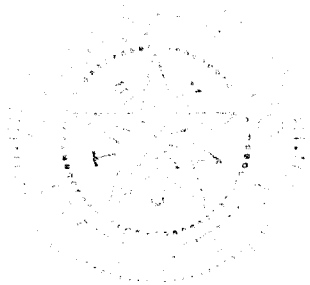
Approved as to form and substance.

PHONG P. PHAN, Attorney for Respondent

Signed this _____ day of _____, 20____.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 24th day of July, 2012, by KATHRYN ALICIA ARMITAGE, Registered Nurse License Number 735197, and said Order is final.

Effective this 14th day of August, 2012.



Katherine A. Thomas

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