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Patricia Thomas
Executive Director of the Board

In the Matter of Permanent License
Number 171819, Issued to
ANDRIA KAY HARRELL, Respondent

§ BEFORE THE TEXAS
§
§ BOARD OF NURSING

ORDER OF TEMPORARY SUSPENSION

TO: Andria Kay Harrell
154 CR 810
Nacogdoches, Texas 75964

A public meeting of the Texas Board of Nursing was held on September 28, 2011 at 333 Guadalupe, Room 2-225, Austin, Texas, in which the Temporary Suspension of Permanent Vocational Nurse License Number 171819, issued to ANDRIA KAY HARRELL was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of ANDRIA KAY HARRELL and whether her continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

CHARGE I.

On or about July 29, 2011, while participating in the Texas Peer Assistance Program for Nurses, Respondent engaged in the intemperate use of alcohol in that she submitted a specimen for a drug screen which resulted positive for alcohol metabolites Ethyl Glucuronide (EtG) and Ethyl Sulfate (EtS) and she admitted to drinking alcohol. The use of alcohol by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5), (10)(A)&(10)(D).

CHARGE II.

On or about July 29, 2011, Respondent failed to comply with the Agreed Order issued to her by the Texas Board of Nursing on February 24, 2011. Non-compliance is the result of Respondent's failure to comply with all the requirements of the TPAPN participation agreement, as required by Stipulation Number Three (3) of the Agreed Order dated February 24, 2011, which reads as follows:

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

On August 9, 2011, Respondent was dismissed from TPAPN and referred to the Board. A copy of the Agreed Order dated February 24, 2011, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

The Texas Board of Nursing further finds that, given the nature of the allegations concerning her fitness to practice, the continued practice of nursing by ANDRIA KAY HARRELL constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Vocational Nurse License No. 171819 is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 171819, issued to ANDRIA KAY HARRELL, to practice nursing in the State of Texas be, and the same is hereby, SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61st day following the date of the entry of this order.

Entered this 28th day of September, 2011.

TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR