



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	§	AGREED
License Number 688376	§	
issued to BRANDI LEE BEAIRD	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BRANDI LEE BEAIRD, Registered Nurse License Number 688376, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(3) & (10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 21, 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(s).
2. Respondent waived 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 an Associate Degree in Nursing from Tyler Junior College, Tyler, Texas, on May 10, 2002. Respondent was licensed to practice professional nursing in the State of Texas on July 23, 2002.
5. Respondent's professional nursing employment history includes:

03/2004 - 03/2005

RN/House Supervisor
Health South Rehab Hospital
Tyler, Texas

01/2007 - 10/2007

RN
Medical Center of Mesquite
Mesquite, Texas

06/2002 - 04/2009

RN
East Texas Medical Center
Tyler, Texas

6. On or about July 29, 2009, Respondent entered a plea of Guilty/No Contest to THEFT PROP>=\$20<\$500 BY CHECK (a Class B misdemeanor offense), in the County Court at Law of Smith County, Texas, under Cause No. 001-80979-06. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of twelve (12) months. Additionally, Respondent was ordered to pay court costs.
7. In response to Finding of Fact Number Six (6), Respondent states that in 2005 she was in the middle of a divorce and her account was emptied which resulted in several bounced checks. All of the checks were taken care of within a very short time frame without any intercession.
8. On or about April 14, 2009, Respondent was indicted by the Grand Jury in the 241st District Court of Smith County, Texas, for knowingly possessing and obtaining and attempting to possess or obtain a controlled substance, namely Lortab 10/500 A.K.A. hydrocodone and acetaminophen, by misrepresentation and fraud and forgery and deception and subterfuge, to-wit: by communicating a fraudulent prescription.

On or about March 4, 2010, Respondent entered a plea of Guilty to FRAUD POSS CS/PRESCRIPTION SCH III/IV (a 3rd degree felony offense committed on April 14, 2009), in the 114th District Court of Smith County, Texas, under Cause No. 114-2118-09. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay court costs and restitution.

9. On or about April 15, 2009, Respondent was indicted by the Grand Jury in the 241st District Court of Smith County, Texas, for knowingly possessing and obtaining and attempting to possess or obtain a controlled substance, namely Lortab, 7.5/500 A.K.A. hydrocodone and acetaminophen A.K.A. dihydrocodeinone by

misrepresentation and fraud and forgery and deception and subterfuge, to-wit by communicating a fraudulent prescription.

On or about March 4, 2010, Respondent entered a plea of Guilty to FRAUD POSS CS/PRESCRIPTION SCH III/IV (a third degree felony offense committed on April 15, 2009), in the 114th District Court of Smith County, Texas, under Cause No. 114-2119-09. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay court costs.

10. In response to Findings of Fact Numbers Eight (8) and Nine (9), Respondent states that in July 2008, she gave birth to her fourth child, during which she endured some complications that involved the use of narcotics to control the pain. She ended up having emergency surgery, and shortly thereafter returned to work. She began to struggle with postpartum depression. She then began taking the remaining narcotics to help her sleep at night. This ended up leading her down a path of much regrettable mistakes. Immediately after her arrest in April, she contacted TPAPN. She was compliant and accountable for fourteen months. She has taken personal steps in her life to maintain a healthy mind and body. She further states that she never took any pain medication prior to work or during her shift. She is active in her church and attends a voluntary counseling session once a week. She keeps in contact with her probation officer.
11. Respondent submitted the following letters of support/recommendation to the Board:
 - a. Justin Green, Smith County Community Supervision and Corrections Department, Tyler, Texas. Mr. Green states that Respondent was placed on Community Supervision on March 4, 2010. Since the beginning of her term, Mr. Green states that Respondent has successfully followed all of the terms and conditions of probation. Respondent has paid all of her fines and fees and is current on her monthly supervision fee. Mr. Green states that Respondent has been required to submit to monthly drug testing and has never tested positive for any illegal or banned substances. Mr. Green states, that as of February 17, 2012, Respondent is in full compliance with her terms and conditions of probation.
 - b. George Preston Hitt, RN, BSN. Mr. Hitt states that he works with Respondent at Cozby-Germany Hospital, Grand Saline, Texas on the 7 p.m. - 7 a.m. shift. Respondent asked Mr. Hitt to evaluate her as a registered nurse peer. Mr. Hitt states that Respondent works on a medical surgical floor with the majority of the patients being of a medical diagnosis, and a variety of ages. Respondent also has psychiatric patients, pediatric patients, and surgical patients. All of these patients come with multiple other diagnosis conditions that interact with the primary diagnosis. Mr. Hitt states that Respondent is able to assess and evaluate holistically the problems and

needs of these patients. Respondent outlines an appropriate, attainable nursing goal that can be reached and includes self care in her interactions, to hopefully obtain sooner discharge to home with some patient ownership of their care. Further, Mr. Hitt states that Respondent is knowledgeable of medications and interactions of how they are related to the care of the patient. Further, Respondent is knowledgeable of policy and procedures and uses what procedures that are available as a resource. Mr. Hitt states that Respondent arrives to work on time and rarely calls in sick and effectively works with others by direction or delegation. If there are issues that Respondent can't directly first deal with, she actively reports these issues to the Director of Nurses. Respondent takes and gives constructive criticism. When she receives constructive criticism, Respondent positively looks at it and effects a change or invites a professional dialog to open up communication to better solve the problem at hand. Mr. Hitt feels that Respondent is a pleasure to work with and is a true nurse, not only professionally, but also at heart.

- c. Stephanie Key, Radiologic Technologist. Ms. Key states that she has worked with Respondent at Cozby Germany Hospital for a little over a year. She began working on the same shift as the Respondent in January, 2011. Ms. Key states that the Respondent is someone to trust and go to for advice. Ms. Key trusts Respondent's medical opinion. Ms. Key states that Cozby Germany Hospital is a smaller hospital and they all work closely together. Ms. Key has seen Respondent with her patients. Ms. Key feels that Respondent is very attentive and does her very best to attend to them in a timely manner. Ms. Key feels that Respondent is very attentive and truly shows that she cares for patients. She is compassionate and loving. Ms. Key states that Respondent works the night shift so that she is able to provide for her four kids and still be there for them during the day and doesn't have to miss their programs, games, etc. Ms. Key states that Respondent is honest and respectful, not only to her patients, but to her coworkers and friends, as well. Ms. Key states that she would trust the Respondent to care for her family and friends and would recommend the Respondent to anyone.
- d. Hector Martinez, LVN. Mr. Martinez states that he works for Cozby Germany Hospital in the emergency room. Mr. Martinez states that he has worked with the Respondent on and off again for several years between Cozby Germany Hospital and Terrell Renaissance Hospital. Mr. Martinez states that Respondent is a wonderful person in all aspects. Mr. Martinez states that Respondent is consistent in her work ethic and is always at work and ready for report. Mr. Martinez states that Respondent is very much a patient advocate and shows care with all patients through all situations. Mr. Martinez states that Respondent receives compliments throughout the hospital from patients, as well as employees. Respondent is always available to be of assistance to her fellow co-workers. Mr. Martinez states that he has enjoyed working with the Respondent and he knows when she

is on duty that team work will be in place and that always provides for a great working environment.

- e. Laura Cannon. Ms. Cannon is Respondent's Narcotics Anonymous (NA) sponsor. Ms. Cannon states that the Respondent approached her a little over a year ago and asked her if she'd consider being Respondent's sponsor. Ms. Cannon states that the Respondent had been coming to her NA group several times a month and that she gradually began opening up to her. Ms. Cannon states that the Respondent was very open and forthcoming with the events in her life and she was genuinely seeking a peer who understood her path and would be available to her. Ms. Cannon agreed to be Respondent's sponsor and has thoroughly enjoyed her as a person. Ms. Cannon sees Respondent as a strong individual who has overcome many obstacles in her life and who only seeks to be an outstanding nurse and mother. The Respondent takes much pride in her career, enjoys being around her patients, and only has the heart of what a great nurse should. Ms. Cannon states that the Respondent loves her children, has a great faith in God, and a great desire to maintain a healthy mind and body. Sobriety is something the Respondent values. Ms. Cannon further states that the Respondent has been coming to her group for several years so she knows her devotion is present. The Respondent actively participates in their discussions and always has a smile to share for a new face. Ms. Cannon has 100% faith in the Respondent's wish to maintain sobriety and continue what she talks about every time she sees her, which is nursing.
- f. SuAnn Kologey, RNC-OB. Ms. Kologey states that she has known the Respondent for almost ten years. She met the Respondent while working at the Family Birthplace, East Texas Medical Center, Tyler, Texas. Ms. Kologey served as the Respondent's preceptor and charge nurse during the three years they worked together. Ms. Kologey states that the Respondent is a highly motivated, organized, and dependable nurse who serves as an advocate for her patients, while providing exceptional care. In 2005, when Ms. Kologey pursued other job opportunities, she encouraged the Respondent to come work with her at another facility because of her strong work ethic and the attentive care she gives her patients. Ms. Kologey states that the Respondent is a single mother of four wonderful, caring children that are a product of the morals and values their mother instills in them. Ms. Kologey states that the Respondent sacrifices things for herself to make sure her children's needs are always met. Ms. Kologey states that she spends a lot of time with the Respondent and her children. Ms. Kologey states that the event that led her to write a letter on the Respondent's behalf was out of character for the Respondent. Ms. Kologey knows that it was a mistake that will never be repeated. Ms. Kologey states that, as a result of the event, the Respondent has sought counseling to deal with the issues that led up to her mistake. On a personal level, Ms. Kologey states that the Respondent has gone through multiple tragic events in her life and manages to remain strong

for herself and her children. Professionally, Ms. Kologey states that the quality of care the Respondent provides her patients in nursing is superior and unconditional. Ms. Kologey states that the nursing profession and the patients cared for by the Respondent would suffer a great loss by removing her privilege to practice. Ms. Kologey further states that she would not hesitate to allow the Respondent to care for one of her own family members.

- g. Rhonda Modsitt. Ms. Modsitt states that she has known the Respondent on a personal and professional level for the past nine years. Ms. Modsitt states that worked nights with the Respondent at ETMC, Tyler, Texas, when the Respondent first began her nursing career. Ms. Modsitt served as the Respondent's charge nurse. As the charge nurse, Ms. Modsitt was very aware of the Respondent's nursing abilities. Ms. Modsitt states that the Respondent was able to function efficiently and effectively, even at times of stressful situations on the labor and delivery unit. Ms. Modsitt states that she never had any concerns regarding the Respondent's skills or assessment abilities. Ms. Modsitt states that the Respondent was very caring and compassionate in meeting the needs of her patients. Ms. Modsitt states that the Respondent worked well with others and was well liked by her co-workers. Ms. Modsitt also states that she has known the Respondent on a personal level. She states that she and the Respondent have laughed and cried together through the ups and downs of their lives. Ms. Modsitt states that the Respondent has been a true friend and that anytime she needed her, the Respondent was there for her. Ms. Modsitt states that she considers the Respondent a person of great character. As her friend, Ms. Modsitt states that the most important things in her life are her faith, her children, and being a nurse. Ms. Modsitt states that, as a nurse for twenty-six years, she has worked with many nurses. She considers the Respondent one of the good ones. Ms. Modsitt states that she knows that the Respondent is truly remorseful for what happened and that she is proud to call the Respondent her friend.
- h. Lamar Willis and Cindy Willis. Mr. and Mrs. Willis state that they have known the Respondent since she was a very young child. Throughout her formative years, the Respondent interacted with the Willis' children and was and continues to be a part of family and church gatherings. The Willis' state that the Respondent's early home life was plagued by dysfunctional situations and she has often come to the Willis' for advice and assistance. As an adult, the Willis' state that they have known the Respondent to be committed to receiving her education and working hard in her career as a caregiver. Her spirit to help others is evident and the Willis' have first hand knowledge and have seen visible evidence of her unconditional love toward her children. In areas of financial need when the Willis' have given assistance, the Willis' state that the Respondent has and continues to show a commitment to repayment of debt. The Willis' state that many good qualities and traits are found within the core of the Respondent and the Willis' sincerely hope that

the Respondent will be afforded the opportunity to be restored to 100% credibility so that she may continue to be a productive member of society.

- i. Brian Kologey. Mr. Kologey states that he has known the Respondent personally and professionally for eight years. Mr. Kologey states that the Respondent is a friend of his wife's and he has also had the opportunity to work with her in nursing. Mr. Kologey states that the Respondent is a single mom with four wonderful children who have been to his home on numerous occasions. Mr. Kologey states that the children are loving and well mannered, which he feels is directly related to their upbringing. Mr. Kologey states that he has seen the Respondent many times over the years sacrifice things for herself to ensure her children had all that she could give them. Mr. Kologey states that you would be hard pressed to find a more loving, devoted mother. Professionally, Mr. Kologey states that he has seen the Respondent's love and caring emulated in the care she gives to her patients. Mr. Kologey states that he would not hesitate to have the Respondent take care of him or one of his family members. Mr. Kologey states that it is somewhat shocking as to why he is writing this letter, as the events that led to this are very atypical for the Respondent. Mr. Kologey states that he is willing to put his name and reputation on the line to say that he firmly believes that this will never occur again. Mr. Kologey states that he feels it would be a tremendous loss for nursing if the Respondent's license was revoked.
12. 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.
 13. Formal Charges were filed on November 5, 2010, and mailed on November 8, 2010. First Amended Formal Charges were filed and mailed on January 17, 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 violations of Section 301.452(b)(3) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas

Occupations Code, to take disciplinary action against BRANDI LEE BEAIRD, Registered Nurse License Number 688376, including revocation of Respondent's license(s) 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 688376, previously issued to BRANDI LEE BEAIRD, to practice professional nursing in Texas is hereby SUSPENDED for a period of three (3) years with the suspension STAYED and Respondent is hereby placed on PROBATION for three (3) years 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(s) is/are 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, 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>.

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

THREE (3) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) 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:

(3) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the probation conditions on RESPONDENT'S license(s). 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(s). 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.

(4) 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.

(5) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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.

(6) For the remainder of the probation period, 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.

(7) RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned for one (1) year of employment as a nurse, except that RESPONDENT may continue to

work the night shift at Cozby-Germany Hospital, Grand Saline, Texas. Should RESPONDENT's employment with Cozby-Germany Hospital, Grand Saline, Texas, cease for any reason, this stipulation shall have full force and effect.

(8) RESPONDENT SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse, except that RESPONDENT may continue to work in the med-surge unit at Cozby-Germany Hospital, Grand Saline, Texas. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units. Should RESPONDENT's employment with Cozby-Germany Hospital, Grand Saline, Texas, cease for any reason, this stipulation shall have full force and effect.

(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 three (3) year(s) 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(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

(13) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

(14) RESPONDENT SHALL CAUSE her probation officer to submit written reports on forms provided to the Respondent by the Board. The reports shall indicate the

RESPONDENT'S compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until RESPONDENT is released from probation.

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(s), 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(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

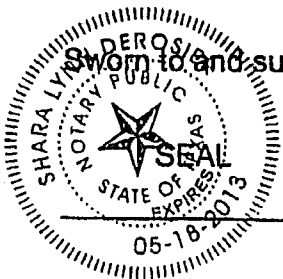
RESPONDENT'S CERTIFICATION

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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28 day of February, 2012.

Brandi Blair

BRANDI LEE BEAIRD, Respondent



Sworn to and subscribed before me this 28 day of Feb, 2012.

[Signature]

Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]

Dan Lye, Attorney for Respondent

Signed this 28 day of February, 2012.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 28th day of February, 2012, by BRANDI LEE BEAIRD, Registered Nurse License Number 688376, and said Order is final.

Effective this 20th day of March, 2012.



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