

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 157084
ISSUED TO
LESLIE CAROL STEVENS

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
BOARD OF NURSING



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.
Patricia P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Leslie Carol (Stevens) Murillo
208 Stonewall Drive
Jacksonville, Arkansas 72076

During open meeting held in Austin, Texas, on November 8, 2011, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 157084, previously issued to LESLIE CAROL STEVENS, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 8th day of November, 2011.

TEXAS BOARD OF NURSING



BY:

KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD


Attachment: Formal Charge filed July 5, 2011.

Re: Permanent Certificate Number 157084
Issued to Leslie Carol Stevens
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of NOVEMBER, 2011, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Leslie Carol Stevens
208 Stonewall Drive
Jacksonville, Arkansas 72076

BY: 
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 157084, Issued to §
LESLIE CAROL STEVENS, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LESLIE CAROL STEVENS, is a Vocational Nurse holding license number 157084, which is in MSR Invalid status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about January 22, 2010, while holding a license as a Vocational Nurse issued by the State of Texas, Respondent received a final Order issued by the Arkansas State Board of Nursing wherein Respondent's license to practice practical nursing in the State of Arkansas was Suspended for a period of two (2) years, to be followed by probation for three (3) years with stipulations for unprofessional conduct and the inability to practice safely by reason of alcohol or other substance abuse. A copy of the Final Order issued by the Arkansas State Board of Nursing dated January 22, 2010 is attached and incorporated as a part of this charge.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

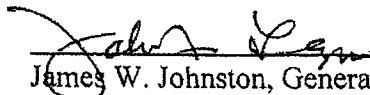
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Final Order issued by the Arkansas State Board of Nursing dated January 22, 2010.

Filed this 5th day of July, 2011.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Final Order issued by the Arkansas State Board of Nursing dated January 22, 2010.

D/2010.12.28



ARKANSAS STATE BOARD OF NURSING

1123 S. University Avenue, Suite 800, University Tower Building, Little Rock, AR 72204
Phone: (501) 686-2700 Fax: (501) 686-2714 www.arsbn.org

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Mountain Home

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Vilonia

Cathleen Shultz
Searcy

Richard Spivey
Greenbrier

January 22, 2010

ATTN: Carla Krampota
Ad-Tech Asst Supervisor
Texas Board of Nursing
333 Guadalupe, Suite 3-460
Austin, TX 78701

CERTIFICATION

I, Phyllis DeClerk, Registered Nurse, Director of Nursing Practice, do hereby certify that the attached copy of the Arkansas State Board of Nursing's disciplinary documents, regarding Leslie Carol Stevens Freeman Beene Murillo, LPN License No. L34826, D.O.B. 01/29/1974, SSN XXX-XX-5132, is a true and correct copy of the original documents on file in the office of the Arkansas State Board of Nursing.

Phyllis DeClerk, RN

Phyllis DeClerk, RN,
ASBN Assistant Director



BEFORE THE ARKANSAS STATE BOARD OF NURSING

IN THE MATTER OF:

LESLIE CAROL STEVENS FREEMAN BEENE MURILLO

LPN LICENSE NO. L34826

FINDINGS OF FACT
CONCLUSIONS OF LAW AND ORDER

A hearing on the captioned matter was held before the Arkansas State Board of Nursing (hereinafter referred to as "the Board"), on January 13, 2010, in the Board Room of the Arkansas State Board of Nursing, 1123 South University, Suite 800, Little Rock, Arkansas. The Board was represented by its General Counsel, William F. Knight. Leslie Carol Stevens Freeman Beene Murillo, Licensed Practical Nurse (hereinafter referred to as "Respondent"), did not appear in person before the Board and was not represented by counsel. The Order and Notice of Hearing was mailed to Respondent on December 23, 2009. On the basis of testimony and other evidence presented, the Board made the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is licensed as a licensed practical nurse and holds license number L34826.
2. The Respondent was terminated on or about January 23, 2009, by St. Vincent Health System, Little Rock, Arkansas, when she refused to take a reasonable suspicion drug test.
3. The Respondent's documentation of controlled substances in an audit of four (4) patient medical records by Arkansas Department of Health, Pharmacy Services found:

IN THE MATTER OF:

LESLIE CAROL STEVENS FREEMAN BEENE MURILLO

LPN LICENSE NO. L34826

- A total of thirteen (13) unaccounted for narcotic doses including hydrocodone/APAP and oxycodone/APAP;
- One (1) occurrence was found where the Respondent removed two (2) tablets of oxycodone/APAP without first obtaining a physician's order;
- Eight (8) instances were found where the Respondent either showed no documentation on the medication administration record or the documentation provided was unclear; and
- Six (6) instances were found where the Respondent either provided no documentation in the nurses notes indicating the date, time and condition of the patient before and after the controlled substance was administered or the documentation was unclear.

CONCLUSIONS OF LAW

1. Pursuant to Ark. Code Ann. §17-87-309, the Board has subject matter and personal jurisdiction in this matter.
2. The Respondent is guilty of violating Ark. Code Ann. §17-87-309(a)(4) and (a)(6).

ORDER

IT IS THEREFORE ORDERED that the license issued to the Respondent be suspended for two (2) years, to be followed by probation for three (3) years, with the following conditions subject to reinstatement:

IN THE MATTER OF:

LESLIE CAROL STEVENS FREEMAN BEENE MURILLO

LPN LICENSE NO. L34826

1. The Respondent's license(s) to practice nursing must be surrendered to the Board immediately.
2. The Respondent must immediately notify the Board in writing of any change, even a temporary one, in name or address.
3. The Respondent must provide evidence to the Board of a complete psychological evaluation/addiction evaluation with appropriate testing by a practitioner who specializes in addiction disorders being sent directly to the Board. The Respondent shall supply a copy of the Board's Order to the evaluator. The evaluation must contain evidence that the evaluator knows the reason for the referral. The evaluator must specifically advise the Board that the nurse is presently able to engage in the safe practice of nursing or recommend the conditions, if any, under which safe practice could occur.
4. The Respondent must attend a Board approved treatment program and must submit quarterly reports to 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 and/or session attended, purpose of meeting, and the signature or signed initials of the chairperson/counselor of each group or session attended by Respondent. The Respondent shall follow the evaluator's recommendations regarding continued treatment and/or support groups
5. The Respondent must submit to random drug screens. The drug screens must meet the criteria established by the Board and be conducted through a Board-approved drug

IN THE MATTER OF:

LESLIE CAROL STEVENS FREEMAN BEENE MURILLO

LPN LICENSE NO. L34826

screen monitoring program and laboratory. Contact must be made with a Board-approved drug screen-monitoring program within five (5) business days of receipt of this Order. The Respondent cannot submit specimens at the Respondent's place of employment or practice site. The Respondent cannot collect any Board of Nursing ordered program participant drug screen. (See Attachment No. 1)

6. The Respondent must abstain at all times from the use of controlled or abuse potential substances, including alcohol, except as prescribed by a licensed practitioner from whom medical attention is sought. Respondent shall not consume hemp, poppy seeds, or any product or by-product containing the same. Respondent shall inform all licensed practitioners who authorize prescriptions of controlled or abuse potential substances of Respondent's dependency on controlled or abuse potential substances, and Respondent shall cause all such licensed practitioners to submit a written report identifying the medication, dosage, and the date the medication was prescribed. The prescribing practitioners shall submit the report directly to the Board within ten (10) days of the date of the prescription. It is the responsibility and duty of the Respondent to insure that the prescribing practitioners submit their written reports in a timely fashion.

7. The Respondent is responsible for submitting a personal report to accompany required data to the Board on a quarterly basis.

8. The Respondent's responsibility is to insure that all reports are submitted to the Board on a quarterly basis.

IN THE MATTER OF:

LESLIE CAROL STEVENS FREEMAN BEENE MURILLO

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9. The Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
10. All costs involved in complying with the Board's Order shall be borne by the Respondent.
11. If the Respondent fails to comply with the terms of the Board's Order, after giving Respondent notice and the opportunity to be heard, the Board may proceed with further disciplinary action.
12. The Respondent may request license reinstatement in a registered letter to the Board once compliance with the Board's Order is met.

IT IS FURTHER ORDERED that the Respondent pay a civil penalty of \$2,500.00 pursuant to Arkansas Code Ann. §17-87-104(b)(1). The civil penalty is to be paid within fifteen (15) calendar days following the date for appeal.

Respondent may request judicial review of the decision rendered by the Board by filing a petition in the circuit court of any county in which Respondent resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service upon Respondent of the Board's final decision.

DATED this 22nd day of January, 2010.

IN THE MATTER OF:

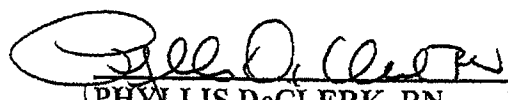
LESLIE CAROL STEVENS FREEMAN BEENE MURILLO

LPN LICENSE NO. L34826

ARKANSAS STATE BOARD OF NURSING

BY: 

WILLIAM F. KNIGHT, AR Bar No. 85086
ASBN General Counsel



PHYLLIS DeCLERK, RN
ASBN Assistant Director
University Tower Building, Suite 800
1123 South University Avenue
Little Rock, Arkansas 72204
(501) 686-2700

IN THE MATTER OF:

LESLIE CAROL STEVENS FREEMAN BEENE MURILLO

LPN LICENSE NO. L34826

CERTIFICATE OF SERVICE

I, Phyllis DeClerk, ASBN Assistant Director, do hereby certify that I have served a copy of the foregoing pleading by mailing a copy of same by certified, return receipt requested, U.S.

Mail, postage prepaid, this 22nd day of January, 2010, to the following:

Leslie Carol Stevens Freeman Beene Murillo
208 Stonewall Drive
Jacksonville, AR 72076


PHYLLIS DeCLERK, RN