

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 582233  
ISSUED TO  
KIMBERLY DAWN FORD

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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 R. Thomas*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: Kimberly Dawn Ford  
902 St. Timothy  
Corpus Christi, TX 78418

During open meeting held in Austin, Texas, on December 13, 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 professional 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 582233, previously issued to KIMBERLY DAWN FORD, to practice professional 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 professional nursing in the State of Texas.

Entered this 13th day of December, 2011.

TEXAS BOARD OF NURSING



BY:

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


Attachment: Formal Charge filed October 12, 2011 .

Re: Permanent Certificate Number 582233  
Issued to Kimberly Dawn Ford  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14<sup>th</sup> day of December, 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):

Kimberly Dawn Ford  
902 St. Timothy  
Corpus Christi, TX 78418

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

In the Matter of Permanent License  
Number 582233, Issued to  
KIMBERLY DAWN FORD, Respondent

§  
§  
§

BEFORE THE TEXAS  
BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KIMBERLY DAWN FORD, is a Registered Nurse holding license number 582233, which is in current 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.

From January 8, 2011 through March 6, 2011, while employed with Corpus Christi Medical Center, Corpus Christi, Texas, Respondent withdrew Ambien and Lortab from the Accudose Medication Dispensing System for patients but failed to document or accurately document the administration of the medications in the patients' Medication Administration Record (MAR) and/or the Electronic Medication Administration Record (E-MAR), as follows:

Date/Time	Patient	Physician's Order	Accudose Record	MAR	E-MAR	Wastage
3/6/11 @ 0345	78631700	Ambien 10mg PO as needed for insomnia	Ambien 10mg	No	No	No
1/9/11 @ 0114	78368266	Stadol 2mg IV Q 2 hrs PRN for moderate pain	Stadol 2mg	0447	0115	No
1/9/11 @ 0333	same	Tylenol #3 1-2 tabs PO Q 3 hrs PRN moderate pain	2- Tylenol #3	0447	0300	No
2/27/11 @ 2054	78618305	Ambien 5mg PO HS discontinued @ 1804	2 - Ambien 5mg	0036	2100	No
2/28/11 @ 0024	same	No Order for Lortab	1 - Lortab 7.5mg	No	0034	No
2/6/11 @ 2015	78558528	Ambien 10mg PO as needed for insomnia	Ambien 10mg	No	No	No
2/6/11 @ 2016	same	Lortab 7.5mg 1-2 tabs PO Q 3hrs PRN moderate pain	2 - Lortab 7.5mg	2156	2016	No
1/17/11 @ 0021	78509745	Ambien 5mg PO Q HS PRN insomnia	1 - Ambien 5mg	No	No	No
1/16/11 @ 1922	78507389	Ambien 5mg PO Q HS PRN insomnia	1- Ambien 5mg	No	No	No

1/17/11 @ 0047	78499344	Lortab 7.5mg 1-2 tabs PO Q 6hrs PRN moderate pain	3- Lortab 7.5mg	No	No	No
1/17/11 @ 0510	same	same as above	4 - Lortab 7.5mg	No	No	No
1/9/11 @ 2348	78491313	Ambien 5mg PO HS PRN insomnia	1- Ambien 5mg	2359	No	No
1/10/11 @ 0405	same	same as above	1 - Ambien 5mg	0419	No	No
1/10/11 @ 0059	same	Lortab 7.5mg 1-2 tabs PO Q 6hrs PRN moderate pain	1- Lortab 7.5mg	No	No	No
1/10/11 @ 0300	same	same as above	2 - Lortab 7.5mg	No	No	No
1/10/11 @ 0543	same	same as above	3 - Lortab 7.5mg	0420 2 tabs	No	No
1/22/11 @ 2004	78507129	Ambien 10mg PO HS PRN insomnia	2- Ambien 5mg	2149	No	No
1/22/11 @ 2309	same	Demerol 50mg IV Q 3 hrs PRN moderate pain	Demerol 50mg	2334 50mg	No	No
1/23/11 @ 0134	same	Lortab 7.5mg 1-2 tabs PO Q 3hrs PRN moderate pain	1 - Lortab 7.5	0200 2 tabs	No	No
1/23/11 @ 0252	same	Demerol 50mg IV Q 3 hrs PRN moderate pain	2-Demerol 50mg	0314 50mg	No	No
1/23/11 @ 0516	same	Ambien 10mg PO HS PRN insomnia	2- Ambien 5mg	No	No	No
1/8/11 @ 1901	78492790	Ambien 5mg PO HS PRN insomnia	Ambien 5mg	No	No	No
1/8/11 @ 1902	same	Lortab 7.5mg 1-2 tabs PO Q 4 hrs PRN back discomfort	1- Lortab 7.5mg	2121	1905	No
1/8/11 @ 1953	78492756	Ambien 10mg PO HS PRN insomnia	Ambien 5mg	No	No	No
1/9/11 @ 1905	78491186	No Order until 1/10/11	Lortab 7.5mg	2146	1915	No
1/29/11 @ 2300	78542893	Ambien 10mg PO HS PRN insomnia	Ambien 5mg	No	No	No
1/23/11 @ 0131	78520886	No Order for Ambien	Ambien 5mg	0209	0209	No
1/8/11 @ 2307	78493713	No Order for Ambien	Ambien 5mg	No	No	No
1/29/11 @ 1956	78542462	No Order for Ambien	Ambien 5mg	No	No	No
1/16/11 @ 2159	78510884	No Order for Ambien	Ambien 5mg	No	No	No
2/7/11 @ 0323	78561965	No Order for Ambien	Ambien 5mg	No	No	No
2/7/11 @ 0421	78561954	No Order for Ambien Pt discharged @ 0410	Ambien 5mg	No	No	No

2/27/11 @ 2005	78619420	No Order for Ambien Pt discharged @ 1930	Ambien 5mg	No	No	No
2/27/11 @ 2137	78619522	No Order for Ambien	Ambien 5mg	No	No	No
3/6/11 @ 2335	78639684	No Order for Ambien	Ambien 5mg	No	No	No
1/9/11 @ 0119	78406296	No Order for Ambien Pt discharged @ 0118	Ambien 5mg	No	No	No
1/23/11 @ 2340	78527510	No Order for Ambien Pt discharged @ 2338	Ambien 5mg	No	No	No
1/30/11 @ 2100	78544179	No Order for Ambien	2- Ambien 5mg	2116	x1-2116	No

Respondent's conduct above 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A)&(1)(D) and 217.12(1)(A)&(4).

### CHARGE II.

From January 8, 2011 through March 6, 2011, while employed with Corpus Christi Medical Center, Corpus Christi, Texas, Respondent withdrew Ambien and Lortab from the Accudose Medication Dispensing System for patients without a valid physician's order, as follows:

Date/Time	Patient	Physician's Order	Pyxis Record	MAR	E-MAR	Wastage
2/28/11 @ 0024	78618305	No Order for Lortab	Lortab	0036	0034	No
1/9/11 @ 1905	78491186	No Order until 1/10/11	Lortab 7.5mg	2145	1915	No
1/23/11 @ 0131	78520886	No Order for Ambien	Ambien 5mg	0209	0209	No
1/8/11 @ 2307	78493713	No Order for Ambien	Ambien 5mg	No	No	No
1/29/11 @ 1956	78542462	No Order for Ambien	Ambien 5mg	No	No	No
1/30/11 @ 2159	78510884	No Order for Ambien	Ambien 5mg	No	No	No
2/7/11 @ 0323	78561965	No Order for Ambien	Ambien 5mg	No	No	No
2/7/11 @ 0421	78561954	No Order for Ambien Pt discharges @ 0410	Ambien 5mg	No	No	No
2/27/11 @ 2001	78619420	No Order for Ambien Pt discharged @ 1930	Ambien 5mg	No	No	No
2/27/11 @ 2137	78619522	No Order for Ambien	Ambien 5mg	No	No	No
3/6/11 @ 2335	78639684	No Order for Ambien	Ambien 5mg	No	No	No
1/9/11 @ 0119	78406296	No Order for Ambien Pt discharged @ 0118	Ambien 5mg	No	No	No

1/23/11 @ 2340	78527510	No Order for Ambien Pt discharged @ 2338	Ambien 5mg	No	No	No
1/30/11 @ 2100	78544179	No Order for Ambien	2- Ambien 5mg	2116	x1-2116	No

Respondent's conduct was likely to injure the patient in that the administration of Lortab and Ambien without a valid physician's order could result in the patient suffering from adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A)&(1)(C) and 217.12(1)(A),(1)(B),(4)&(11)(B).

### CHARGE III.

From January 9, 2011 through February 27, 2011, while employed with Corpus Christi Medical Center, Corpus Christi, Texas, Respondent withdrew Ambien and Lortab from the Accudose Medication Dispensing System for patients who had been dismissed from the facility, as follows:

Date/Time	Patient	Physician's Order	Pyxis Record	MAR	E-MAR	Wastage
2/7/11 @ 0421	78561954	No Order - Pt d/c @ 0410	Ambien 5mg	No	No	No
2/27/11 @ 2001	78619420	No Order - Pt d/c @ 1930	Ambien 5mg	No	No	No
1/9/11 @ 0119	78406296	No Order - Pt d/c @ 0118	Ambien 5mg	No	No	No
1/23/11 @ 2340	78527510	No Order - Pt d/c @ 2338	Ambien 5mg	No	No	No

Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A)&(1)(C) and 217.12(1)(A),(1)(B),(4)&(11)(B).

### CHARGE IV.

From January 1, 2011 through March 7, 2011, while employed with Corpus Christi Medical Center, Corpus Christi, Texas, Respondent misappropriated Ambien and Lortab belonging to the facility and/or the patients thereof, or failed to take precautions to prevent such misappropriation. Possession of Ambien and Lortab without a valid prescription is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(G),(8)&(11)(B).

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. and TEX. OCC. CODE Ch. 53. 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](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, and for Fraud, Theft & Deception, which can be found at the Board's website, [www.bon.state.tx.us](http://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](http://www.bon.state.tx.us/disciplinaryaction/discp-matrix.html).

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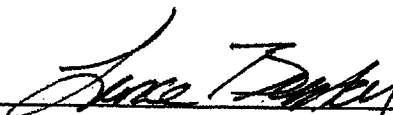
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NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated August 12, 2003.

Filed this 12<sup>th</sup> day of October, 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: Order of the Board dated August 12, 2003.

D/2010.12.28

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

\*\*\*\*\*

In the Matter of License Number 582233   §    AGREED  
issued to KIMBERLY DAWN FORD       §    ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that KIMBERLY DAWN FORD, hereinafter referred to as Respondent, License Number 582233, may have violated Section 301.452(b)(10), Texas Occupations Code.

An informal conference was held on May 20, 2003, at the office of the Board of Nurse Examiners, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Michael E. Garcia, Investigator.

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 representation by counsel, notice and hearing, and consented 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 Del Mar College, Corpus Christi, Texas, in May of 1992. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1992.

5. Respondent's professional employment history includes:

1992 - 2001                      Staff/Charge Nurse  
Christus Spohn Hospital  
Corpus Christi, Texas

1996                                Staff Nurse  
NutriSystem  
Corpus Christi, Texas

2001 - present                    Staff Nurse  
Bay Area Hospital  
Corpus Christi, Texas

6. At the time of the initial incident, Respondent was employed as a Charge Nurse with Christus Spohn Hospital, Corpus Christi, Texas, and had been in this position for nine (9) years.
7. On or about July 20, 2001, while employed with Christus Spohn Hospital, Corpus Christi, Texas, Respondent passed a forged, unauthorized prescription for Adipex at Carter's Pharmacy, Corpus Christi, Texas. Respondent's conduct was likely to deceive the pharmacy and possession of Adipex through the use of a forged, unauthorized prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
8. On or about August 12, 2001, while employed with Christus Spohn Hospital, Corpus Christi, Texas, Respondent passed a forged, unauthorized prescription for Adipex at H.E.B. Pharmacy, Corpus Christi, Texas. Respondent's conduct was likely to deceive the pharmacy and possession of Adipex through the use of a forged, unauthorized prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
9. On or about February 27, 2003, Respondent was sentenced to three (3) years Deferred Adjudication Community Supervision for the offense of Fraudulent Acquisition of Controlled Substance, a Second Degree Felony, in the 347<sup>th</sup> District Court, Nueces County, Texas, cause number 01-CR-3857-H.
10. On May 16, 2003, Respondent completed a chemical dependency evaluation performed by Frederick M. Capps, M.S., LPC, LCDC, AAC. Mr. Capps reports that Respondent was found to be free of substance related problem. She tested negative on the Substance Abuse Subtle Screening Inventory (SASSI-3). Her mental status is intact. Mr. Capps also states that he can find no evidence that Respondent has ever abused any mood altering substance, including alcohol. He reports that Respondent does not meet any known criteria for a diagnosis of alcohol or substance abuse, nor does she present with any symptoms of nervous or mental impairment or disorder. Therefore, no substance-related diagnosis is indicated at this time.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)&(21).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 582233, heretofore issued to KIMBERLY DAWN FORD, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is 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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to KIMBERLY DAWN FORD, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 can be found on the Board's website [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Registered Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL

CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses can be found on the Board's website [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

(4) IT IS FURTHER AGREED, SHOULD RESPONDENT be convicted of the offense(s) as outlined in Finding of Fact Number Nine (9), said conviction will result in further disciplinary action including Revocation of Respondent's license to practice professional nursing in the State of Texas.

**IT IS FURTHER AGREED, SHOULD RESPONDENT CHOOSE TO PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING, UNDER THE FOLLOWING STIPULATIONS FOR THREE (3) YEARS OF EMPLOYMENT. PERIODS OF UNEMPLOYMENT OR A MINIMUM OF SIXTY FOUR (64) HOURS A MONTH REQUIREMENT OF EMPLOYMENT THAT DOES NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE, OR WHERE DIRECT PATIENT CARE IS NOT PROVIDED, WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) RESPONDENT SHALL notify each present employer in professional nursing of this Order of the Board and the stipulations 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 professional nursing of this Order of the Board and the stipulations 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.

(6) RESPONDENT SHALL CAUSE each present employer in professional 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 professional nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising RN 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 RN 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

(8) 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 professional nursing. These reports shall be completed by the Registered Nurse who supervises the

RESPONDENT. These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for three (3) years of employment as a professional nurse.

(9) 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 an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.

(10) 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 second three (3) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months.



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 stipulation 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 stipulation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board.

(11) 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, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

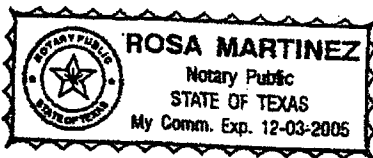
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 2 day of July, 2003.

Kimberly Dawn Ford  
KIMBERLY DAWN FORD, Respondent

Sworn to and subscribed before me this 2 day of July, 2003

SEAL



Rosa Martinez  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 2<sup>nd</sup> day of July, 2003, by KIMBERLY DAWN FORD, License Number 582233, and said Order is final.

Effective this 12<sup>th</sup> day of August, 2003.



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