



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

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In the Matter of Registered Nurse           §       AGREED  
License Number 735592                       §  
issued to LINE COLETTE BARTLETT       §       ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LINE COLETTE BARTLETT, Registered Nurse License Number 735592, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 23, 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 the University of Mobile, Mobile, Alabama, on May 1, 2004. Respondent was licensed to practice professional nursing in the State of Texas on November 22, 2006.
5. Respondent's complete professional nursing employment history includes:

11/06-09/06	Unknown	
09/06-05/07	RN	Vistas Hospice Dallas, Texas

Respondent's complete professional nursing employment history continued:

06/07-08/08	RN	Aleita Healthcare Dallas, Texas
08/08-02/09	RN	Compassionate Hands Hospice Irving, Texas
03/09-Present	Unknown	

6. At the time of the initial incidents as stated in Finding of Fact Numbers Seven (7) and Nine (9), Respondent was employed as a Registered Nurse with Compassionate Hands Hospice, Irving, Texas, and had been in this position for approximately six (6) months.
7. On or about February 24, 2009, while employed as a Registered Nurse with Compassionate Hands Hospice, Irving, Texas, and assigned to a patient at Arbrook Plaza Nursing and Rehabilitation Center, Arlington, Texas, Respondent lacked fitness to practice nursing in that she showed signs of impaired behavior to include: being unorganized, disorganized speech, continuously asking about a patient that Respondent had been seeing for a month and having a disconnected flat affect. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. In response to Finding of Fact Number Seven (7), Respondent states she was diagnosed with diabetes just a couple of weeks after this incident, and because she was not aware she was diabetic, her blood sugar was fluctuating immensely and could explain her behavior and sluggish thought process.
9. On or about February 24, 2009, while employed as a Registered Nurse with Compassionate Hands Hospice, Irving, Texas, and assigned to a patient at Arbrook Plaza Nursing and Rehabilitation Center, Arlington, Texas, Respondent engaged in the intemperate use of marijuana in that she stated that her drug screen would be positive for marijuana, and that she uses marijuana every weekend. Additionally, when a drug screen was requested, Respondent initially complied, but failed to complete the testing process. Possession of marijuana is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of marijuana by a Registered 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's in potential danger.

10. In response to Finding of Fact Number Nine (9), Respondent states when she was asked to provide a sample for a drug screen, she had been using marijuana off and on, only on weekends, for two months. Respondent states she has not used marijuana since and has provided negative drugs screens.
11. On or about December 4, 2009, Respondent sat for a forensic psychological and chemical dependency evaluation with Antoinette R. McGarrahan, Ph.D., Clinical Forensic Psychology and Neuropsychology. Dr. McGarrahan concluded that based on all of the available information, it appears, Respondent had a short-term history of using marijuana during the time period in question, but her condition does not, and has not, met diagnostic criteria for a substance dependence disorder. Dr. McGarrahan asserts that while Respondent has a long history of mild depressive symptomatology and some mood instability, which are presently controlled with medication, she has no other psychiatric condition or personality disorder at this time. Dr. McGarrahan recommends that Respondent continue to receive psychiatric care for her depression, although this recommendation is not meant to be a requirement by the Board. Additionally, Dr. McGarrahan states that other than random urine drug screens for a period of time to ensure that she is refraining from the use of marijuana, there are no further recommendations, as there are no other conditions for which she needs treatment or further evaluation at this time. In Dr. McGarrahan's opinion, with the noted suggestions implemented, it is likely that Respondent will be able to behave in accordance with Board rules pertaining to professional conduct.
12. On or about April 8, 2010, through July 19, 2010, while participating in the Texas Peer Assistance Program for Nurse, Extended Evaluation Program, Respondent lacked fitness to practice nursing in that after failing to comply with the Extended Evaluation Program (EEP) contract Respondent was then offered to participate in the Texas Peer Assistance Program for Nurses (TPAPN) and received an evaluation where she was diagnosed with Cannabis Abuse. Respondent was offered TPAPN and instructed to complete and return the enrollment items, which Respondent failed to return in a timely manner. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
13. In response to Finding of Fact Number Twelve (12), Respondent states that she had entered the Texas Peer Assistance Program for Nurses-Extended Evaluation Program (TPAPN-EEP) and was complying with the requirements, but when her son entered the hospital she forgot to call in for a period of time. Respondent states she obtained the evaluation the Texas Peer Assistance Program for Nurses (TPAPN) requested and the evaluator told her she did not think she needed meetings and that she did not see any substance abuse issues. Respondent states when she phoned the evaluator to ask why the evaluation had not been sent to TPAPN, that she was told the evaluator was on vacation, but that "they" would look for her notes, complete the evaluation, and return it to TPAPN. Respondent states that the evaluation was

not signed and she believes "they" wrote the recommendations based on the diagnosis which brought me to the evaluator, and not what the evaluator actually found after doing the evaluation. Respondent asserts she has not used marijuana at all since February of 2009.

14. 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.

#### 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)(9),(10),(12)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE § 217.11(1)(B) & (T) and 22 TEX. ADMIN. CODE §217.12(1)(A),(B)&(E),(4),(5),(10)(A)&(11)(B).
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 735592, heretofore issued to LINE COLETTE BARTLETT, 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 RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and 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.

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, 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.

IT IS FURTHER AGREED that:

(1) 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>.

(2) 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 STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) 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 stipulations 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 stipulations 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) RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(6) Should RESPONDENT choose to work in the area of hospice nursing, RESPONDENT'S practice of professional nursing will be monitored for one (1) year by a licensed Registered Nurse Consultant proficient in the area of hospice nursing approved by the Board. RESPONDENT MUST, within ten (10) days of employment in the area of hospice nursing, provide a list of three (3) RN's for the Board to select; the list should include the name, RN license number, educational experience and work experience of each proposed Registered Nurse Consultant. Monitoring shall commence no later than thirty (30) days following the date of Respondent's receipt of the name of the monitor selected by the Board. The monitor must identify and document

individualized goals and objectives, resources to be utilized, and the methods to be used to determine successful completion of the monitoring period relative to the violations identified in this Order. RESPONDENT SHALL meet with the monitor at least twice a month, for a minimum of one (1) hour each session. RESPONDENT SHALL ensure that the monitor submits reports addressing Respondent's progress toward achievement of the identified monitoring goals and objectives to the office of the Board at the end of each three (3) months for the one (1) year stipulation/probation period. Meetings may be longer and more frequent if the monitor determines necessary. If either improvement of documentation and/or physical assessment skills is a goal or objective of the monitoring, RESPONDENT SHALL perform assessments on and document assessment findings for live patients. Performing assessments on and documenting findings for mock patients or mannequins WILL NOT be accepted. Multiple employers are prohibited.

(7) 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 one (1) year of employment as a nurse.

(8) 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.

(9) 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. 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 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 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.

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.

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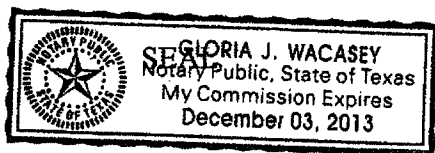
RESPONDENT'S CERTIFICATION

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

Signed this 1<sup>st</sup> day of August, 2012.

Line Colette Bartlett  
LINE COLETTE BARTLETT, Respondent

Sworn to and subscribed before me this 1<sup>st</sup> day of August, 2012.



Gloria J. Wacasey  
Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn R. Mackay  
Taralynn Mackay, Attorney for Respondent

Signed this 2<sup>nd</sup> day of August, 2012

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 1st day of August, 2012, by LINE COLETTE BARTLETT, Registered Nurse License Number 735592, and said Order is final.

Effective this 11<sup>th</sup> day of September, 2012.



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