



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 Professional Nurse	§	AGREED
License Number 737253	§	
issued to CAREY LEA HALL	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CAREY LEA HALL, Professional Nurse License Number 737253, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10)&(12), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on December 8, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

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 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 Tarrant County Junior College, Fort Worth, Texas, on December 14, 2006. Respondent was licensed to practice professional nursing in the State of Texas on January 25, 2007.
5. Respondent's professional nursing employment history includes:

2006 - 2008	GN/RN	John Peter Smith Hospital Fort Worth, Texas
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Respondent's professional nursing employment history continued:

2008 - 2009	RN	Texas Health Resources HEB Bedford, Texas
2009 - Present	RN	Plaza Medical Center Fort Worth, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Texas Health Resources Harris Methodist Hospital HEB, Bedford, Texas, and had been in this position for seven (7) months.
7. On or about September 26, 2009, while employed with Texas Health Resources Harris Methodist Hospital HEB, Bedford, Texas, Respondent lacked fitness to practice professional nursing in that while on duty she was found to have an unsteady gait, an inability to stay awake or concentrate and spoke incoherently. She also admitted that she was taking Seroquel and Ativan and seeing a therapist. 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 the incident in Finding of Fact Number Seven (7), Respondent states that on September 26, 2009 she went to bed about 2 a.m. and took her regular dose of sleeping medicine which consisted of 600 mg Seroquel, 1 mg Ativan and 15 mg Restoril. She states that there is a lot that she can not recall during the event. She remembers getting to work and speaking with the charge nurse. She felt okay inside, but could not get focused. She remembers the ER doctor, Howard Lull, pushing her in a wheelchair to employee health and repeatedly stating that he can help her if she admits to having a drug problem. She continuously denied having a drug problem. Once in employee health she submitted an alcohol screening which resulted negative. She was given a cup to provide a urine specimen and was very confused with the instructions. She states that her gait was very unsteady and she remembers stumbling into the bathroom alone. After the testing she was given a cell phone to call a ride, but she could not remember how to use the phone or why it was given to her. She was taken home by a cab and remembers being confused by the simplest things, so she went to bed. The next morning she was still very confused and lost about the previous evening's events. She spoke with Dr. Lull and he stated that she has a drug problem and needs help. He informed her that she was altered and exhibited slurred and garbled speech, unsteady gait, confusion, an inability to follow simple commands, and crackers were falling out of her mouth when she was trying to eat them. She adamantly denied doing drugs. On September 28, 2009 her PCP performed several tests and informed her that she continued to have neuro deficits. On October 2nd her PCP performed a additional neuro exam and reviewed her September 30, 2009 MRI. She was informed that her neuro deficits had resolved and she was diagnosed with TIA which was probably due to stress. She was informed by her employer that her UDS resulted positive for benzodiazepines, which she explained that she had a prescription for Restoril and Ativan.

9. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
10. 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.
11. Respondent's conduct described in Finding of Fact Number Seven (7) resulted from Respondent's impairment by dependency on chemicals.
12. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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 violation of Section 301.452(b)(9),(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(5)&(10)(A).
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 737253, heretofore issued to CAREY LEA HALL, including revocation of Respondent's license to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

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

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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 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 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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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 violation alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10 day of February, 2011.

Carey Lea Hall
 CAREY LEA HALL, Respondent

Sworn to and subscribed before me this 10 day of February, 2011.

Emmeline Rodriguez Silve
 Notary Public in and for the State of TEXAS

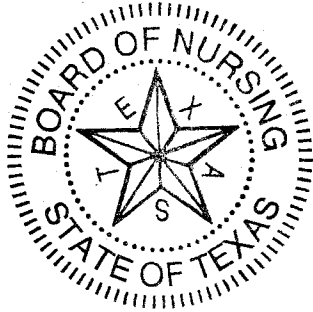


Approved as to form and substance.

Nancy Roper Willson
 Nancy Roper Willson, Attorney for Respondent

Signed this 15th day of February, 2011.

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 10th day of February, 2011, by CAREY LEA HALL, Registered Nurse License Number 737253, and said Order is final.



Entered and effective this 17th day of February, 2011.

A handwritten signature in cursive script, reading 'Katherine A. Thomas'.

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