



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 664308 §
issued to LEATTA JEAN GUILLORY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of LEATTA JEAN GUILLORY, Registered Nurse License Number 664308, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 4, 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 representation by counsel, 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 Lamar University, Port Arthur, Texas, on May 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on September 28, 1999.
5. Respondent's nursing employment history includes:

8/1999-6/2000	RN	Mid Jefferson Hospital Nederland, Texas
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Respondent's nursing employment history continued:

1/2000-6/2000	RN	St. Elizabeth Hospital Beaumont, Texas
2/2000-10/2004	RN	Nurse Finders Houston, Texas
8/2000-2002	RN	Staff Search Houston, Texas
2/2001-4/2008	RN	Nurse Finders Mission Vista Hospital Houston, Texas
6/2004-12/2004	RN	Pulse Staffing Houston, Texas
10/2004-7/2006	RN	Kingwood Specialty Kingwood, Texas
4/2007-10/2007	RN	Hermann Memorial Houston, Texas
2/2007-4/2008	RN	Nurse Finders San Antonio, Texas
5/2008-1/2009	Unknown	
2/2009-7/2009	RN	Helping Hands Jasper, Texas
4/2009-5/2009	RN	Advanced Pediatric Care, Inc Beaumont, Texas
8/2009-8/2009	RN	Excel Staffing Rock Hill, South Carolina Margret R. Pardee Hospital Hendersonville, North Carolina
9/2009-10/2009	RN	Cherokee Indian Hospital Cherokee, North Carolina
9/2009-1/2010	RN	Asheville Specialty Hospital Asheville, North Carolina

Respondent's nursing employment history continued:

2/2010-3/2010	Unknown	
4/2010	RN	Piedmont Living Center Greer, South Carolina

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a RN with Advanced Pediatric Care, Inc., Beaumont, Texas, and had been in this position for one (1) month.
7. On or about May 15, 2009, and May 19, 2009, while employed with Advanced Pediatric Care, Inc., Beaumont, Texas, as a private duty nurse, and assigned to care for ventilator dependent Patient MT, Respondent failed to provide the agency documentation of the care provided for the patient and essentially abandoned the patient in that she left the home without notifying the patient's mother or the agency. Respondent's failure to document deprived subsequent care givers of vital information on which to base further nursing care and interventions. Additionally, Respondent's conduct was likely to injure patient in that leaving the nursing assignment deprived the patient of detection and timely medical intervention in the event that the patient experienced a change in condition.
8. On or about July 3, 2009, while employed with Helping Hands Nursing Agency, Jasper, Texas, and assigned to Memorial Hospital, Huntsville, Texas, Respondent withdrew Demerol from the Pyxis Medication Dispensing Machine for four (4) patients who did not have physician orders for Demerol. Respondent's conduct was likely to injure the patient in that the administration of Demerol in excess frequency and/or Dosage of the physician's order could result in the patients suffering from adverse reactions.
9. On or about July 3, 2009, while employed with Helping Hands Nursing Agency, Jasper, Texas, and assigned to Memorial Hospital, Huntsville, Texas, Respondent withdrew Demerol from the Pyxis Medication Dispensing Machine for four (4) patients bur failed to document the administration of the Demerol in the patients' medical records. Respondent's conduct 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.
10. On or about July 2, 2009, while employed with Helping Hands Nursing Agency, Jasper, Texas, and assigned to Memorial Hospital, Huntsville, Texas, Respondent misappropriated, or failed to take precautions to prevent misappropriation of, Demerol from the facility and patients thereof. Respondent conduct defrauded the facility and the patients thereof of the cost of the medications.
11. On or about September 1, 2009, through January 7, 2010, while employed with Asheville Specialty Hospital, Asheville, North Carolina, and working on her nurse licensure compact privilege from her license to practice professional nursing in the State of Texas, Respondent withdrew Narcotic Medications from the Pyxis Medication Dispensing System but failed to

document the administration of the narcotics in the patients' medical records and/or document the wastage of any unused portions of the narcotics. Respondent's conduct 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 and placed the hospital in violation of Chapter 90, Article 5, of the North Carolina General Statutes (North Carolina Controlled Substances Act).

12. On or about September 1, 2009 through January 7, 2010, while utilizing Respondent's nurse licensure compact privilege associated with her license to practice nursing in the State of Texas and employed with Asheville Specialty Hospital, Asheville, North Carolina, Respondent was the last person to access the Pyxis Medication Dispensing System, containing Morphine syringes, when it was discovered by the pharmacy manager, while refilling the Pyxis Medication Dispensing System, that twelve (12) syringes of Morphine 4 mg had been tampered with. An independent lab analysis of the contents of the syringes, labeled to be Morphine 4mg/ml, resulted in 41 MCG (+/- 0.40) Morphine/ml in liquid reported as free base. Respondent's conduct was likely to defraud the hospital pharmacy the cost of the medications and may have deprived patients of pain relief due to the administration of diluted Morphine.
13. On or about January 25, 2010, Respondent's nurse licensure compact privilege associated with her license to practice nursing in the State of Texas was revoked through an Order To Revoke Privilege To Practice Nursing by the North Carolina Board Of Nursing. A copy of the January 25, 2010, Order to Revoke Privilege to Practice Nursing is attached and incorporated herein, by reference, as part of this Order.
14. On or about April 29, 2010, Respondent telephonically admitted to the Board that she has a "drug problem" and requested a Peer Assistance Program for drug dependency.
15. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
16. 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.
17. Charges were filed on April 16, 2010.
18. Charges were mailed to Respondent on April 16, 2010.
19. Respondent's conduct described in Findings of Fact Numbers Nine (9) through Fourteen (14) was significantly influenced by Respondent's dependency on chemicals.
20. 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 violations of Section 301.452(b)(8),(10),(12)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(D)&(1)(I) and 217.12(1)(A),(1)(B),(4),(5),(6)(G),(8),(10)(C), (10)(E),(11)(B)&(12).
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 664308, heretofore issued to LEATTA JEAN GUILLORY, 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):

RESPONDENT SHALL deliver the wallet-sized license issued to LEATTA JEAN GUILLORY, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(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.

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. 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28th day of July, 2010.

Leatta Jean Guillory
LEATTA JEAN GULLORY, Respondent

Sworn to and subscribed before me this 28th day of July, 2010.

SEAL

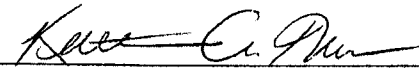
Russella R. Allen

Notary Public in and for the State of SOUTH CAROLINA

My Commission Expires
March 23, 2019

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 28th of July, 2010, by LEATTA JEAN GUILLORY, Registered Nurse License Number 664308, and said Order is final.

Entered and effective this 29th day of July, 2010.


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

