



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 License Number 701977  
& Vocational Nurse License Number 151340  
issued to STEPHEN ALLEN PATRICK JR.

§ AGREED  
§  
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of STEPHEN ALLEN PATRICK JR., Registered Nurse License Number 701977 and Vocational Nurse License Number 151340, 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 August 27, 2009, 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 and holds a license to practice vocational nursing in the State of Texas which is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Memorial City General Hospital, Houston, Texas on December 20, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on February 7, 1995. Respondent received an Associate Degree in Nursing from San Jacinto College South, Houston, Texas on December 1, 2003. Respondent was licensed to practice professional nursing in the State of Texas on January 13, 2004.

5. Respondent's professional and vocational nursing employment history includes:

02/1995 - 05/1998	Employment history unknown.
06/1998 - 06/1999	LVN Cypress Creek Hospital Houston, Texas
06/1998 - 06/1999	LVN Red Oak Psychiatry and Associates Houston, Texas
07/1999 - 05/2001	Employment history unknown.
05/2001 - 02/2003	LVN Health South North Rehab Hospital Conroe, Texas
10/2001 - 09/2002	LVN Claghorn-Lesem Research Clinic Ltd. Bellaire, Texas
10/2002 - 01/2003	Employment history unknown.
02/2003 - 03/2005	LVN/RN Memorial Herman Hospital-The Woodlands The Woodlands, Texas
03/2005 - 09/2005	RN American Mobile Health Care San Diego, California
10/2005 - 02/2008	RN Medical Park Hospital-Novant Health Winston Salem, North Carolina
02/2008 - 09/2008	RN Memorial Herman Northwest Hospital Houston, Texas
09/2008 - 11/2008	RN St. Luke's Hospital The Woodlands The Woodlands, Texas
12/2008 - 01/2009	Employment history unknown.
02/2009 - 03/2009	RN Triumph Hospital Northwest Houston, Texas
04/2009 - Present	RN Cypress Creek Hospital Houston, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Memorial Herman northwest, Houston, Texas, and had been in this position for five (5) months.
7. On or about July 1, 2008 while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent lacked fitness to practice professional nursing, in that he passed out in a dishwasher. Additionally, Respondent admitted to shooting up and taking five (5) Soma and five (5) Vicodin. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing the patients in potential danger.
8. On or about August 1, 2008 while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent misappropriated Lortab belonging to J.P., in that he admitted to taking the medication. Respondent's conduct was likely to defraud the facility and patient of the cost of the medications.
9. On or about August 11, 2008 through September 1, 2008, while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent withdrew Morphine from the Medication Dispensing System (Pyxis) in excess dosage of the physicians' orders. Respondent's conduct was likely to injure the patients, in that the administration of Morphine, without a valid physician's order, could result in the patients experiencing adverse reactions.
10. On or about August 19, 2008, while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent withdrew Morphine from the Medication Dispensing System (Pyxis) for Patient Number 38625155 without valid physician's orders. Respondent's conduct was likely to injure the patients, in that the administration of Morphine, without a valid physician's order, could result in the patients experiencing adverse reactions.
11. On or about August 11, 2008 through September 1, 2008, while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent withdrew Morphine from the Medication Dispensing System (Pyxis) but failed to document or accurately document the administration of the medication in the patients' Medication Administration Records and/or nurse's notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.
12. On or about August 11, 2008 through September 1, 2008, while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent withdrew Morphine from the Medication Dispensing System (Pyxis) for patients, but failed to follow the facility's policy and procedure for the wastage of any of the unused portions of the medications. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in

- violation of Chapter 481 of the Texas Health and safety Code (controlled Substances Act).
13. On or about August 11, 2008 through September 1, 2008, while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent misappropriated Morphine from the facility and patients thereof, or failed to take precautions to prevent such misappropriation.
  14. On or about September 8, 2008 while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent engaged in the intemperate use of Benzodiazepines, in that he produced a specimen for a drug screen which resulted positive for Benzodiazepines. Possession of Benzodiazepines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Benzodiazepines by a 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 in potential danger.
  15. On or about September 22, 2008, while licensed as a Registered Nurse in the State of Texas, Respondent engaged in the intemperate use of Benzodiazepines, in that he produced a specimen for a pre-employment drug screen with Conroe Regional Medical Center, Conroe, Texas, that resulted positive for Benzodiazepines. Possession of Benzodiazepines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Benzodiazepines by a 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 in potential danger.
  16. On or about November 11, 2008, while employed as a Registered Nurse with St. Luke's Hospital, The Woodlands, The Woodlands, Texas, Respondent lacked fitness to practice professional nursing, in that he admitted that he blanked while giving report during a code. Subsequently, the patient involved in the code expired. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing the patients in potential danger.
  17. St. Luke's Hospital, The Woodland's conducted a thorough investigation and found no relationship between the death of the aforementioned patient and the Respondent's job performance. The facility reported no problems with how the code was handled and had no reports that the Respondent froze while giving report. They feel that the Respondent handled the code appropriately.
  18. On or about November 12, 2008, while employed as a Registered Nurse with St. Luke's Hospital, The Woodlands, The Woodlands, Texas, Respondent lacked fitness to practice professional nursing, in that he had difficulty completing tasks, was unable to verbalize

information about his patients to the oncoming nurse, failed to complete a.m. blood draws, failed to report abnormal lab results to physicians, had IV fluids running at incorrect rates, and failed to complete chart checks. Respondent was also observed drenched in sweat, pale, nervous and exhibiting jittery behavior. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing the patients in potential danger.

19. On or about November 12, 2008, while employed as a Registered Nurse with St. Luke's Hospital, The Woodlands, Texas Respondent engaged in the intemperate use of Morphine in that he produced a specimen for a "for cause" drug screen that resulted positive for Morphine. Possession of Morphine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Morphine by a 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 in potential danger.
20. On or about March 13, 2009 through March 18, 2009, while employed as a Registered Nurse with Triumph Northwest Hospital, Houston, Texas, Respondent withdrew Morphine, Hydromorphone, and Meperidine from the Medication Dispensing System, for patients but failed to document, or accurately document the administration of the medications in the patients' Medication Administration Records and/or nurse's notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.
21. On or about March 13, 2009 through March 18, 2009, while employed as a Registered Nurse with Triumph Northwest Hospital, Houston, Texas, Respondent withdrew Morphine, Hydromorphone, and Meperidine from the Medication Dispensing System, for patients in excess frequency/dosage of the physician's orders. Respondent's conduct was likely to injure the patients, in that the administration of Morphine, Hydromorphone, and Meperidine, in excess frequency/dosage of the physician's order, could result in the patients experiencing adverse reactions.
22. On or about March 13, 2009 through March 18, 2009, while employed as a Registered Nurse with Triumph Northwest Hospital, Houston, Texas, Respondent withdrew Morphine, Hydromorphone, and Meperidine from the Medication Dispensing System, for patients but failed to follow the facility's policy and procedure for wastage of any of the unused portions of the medications. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and safety Code (controlled Substances Act).
23. On or about March 13, 2009 through March 18, 2009, while employed as a Registered Nurse with Triumph Northwest Hospital, Houston, Texas, Respondent misappropriated Morphine,

Hydromorphone, and Meperidine from the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patient of the cost of the medications.

24. On or about March 18, 2009, while employed as a Registered Nurse with Triumph Northwest Hospital, Houston, Texas, Respondent engaged in the intemperate use of Opiates, in that he admitted he produced a specimen for a drug screen that resulted positive for Opiates. Possession of Opiates is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Opiates by a 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 in potential danger.
25. In response to Findings of Fact Numbers Seven (7) through Twenty-Three(23), Respondent states: "I admit that I have a problem with controlled substances and take responsibility for the same. Immediately after the events in question, I admitted myself for inpatient detox at St. Luke's Hospital and from there was transferred to Kingwood Pines Hospital for treatment. After being discharged from Kingwood Pines in early December, I started a recovery program that includes participation in AA meetings and seeing a therapist."
26. 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.
27. 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.
28. On or about August 19, 2009, Respondent submitted documents including eleven (11) weekly drug screens from May 28, 2009 through August 6, 2009, indicating negative results, along with AA/Serenity/12 Step meeting attendance records from January 2009 through August 2009. Respondent also submitted a letter from his current employer, Cypress Creek Hospital, which indicates that they are aware about Respondent's history and possible TPAPN participation and are willing to support him.
29. Respondent's conduct described in Finding of Fact Numbers Seven (7) through Twenty-Three (23) was significantly influenced by Respondent's impairment by dependency on chemicals.
30. 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)(9),(10),(12)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C),(D)&(T). and 22 TEX. ADMIN. CODE §217.12(1)(A),(E),(4),(5),(6)(G),(8),(10)(A),(C),(D),(E)&(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 701977 and Vocational Nurse License Number 151340, heretofore issued to STEPHEN ALLEN PATRICK JR., including revocation of Respondent's licenses 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 STEPHEN ALLEN PATRICK JR., 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 his 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 multistate licensure 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 multistate licensure privileges, if any, to practice nursing in the State of Texas.



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

Signed this 27 day of OCT, 2009.

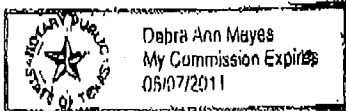
Stephen Allen Patrick Jr.  
STEPHEN ALLEN PATRICK JR., Respondent

Sworn to and subscribed before me this 27 day of OCT, 2009.

SEAL

Debra Ann Mayer

Notary Public in and for the State of TX




Approved as to form and substance.

Dan Lype  
Dan Lype, Attorney for Respondent

Signed this 27 day of October, 2009.

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 27th day of October, 2009, by STEPHEN ALLEN PATRICK JR., Registered Nurse License Number 701977 and Vocational Nurse License Number 151340, and said Order is final.

Entered and effective this 28th day of October, 2009.

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

