



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 511094 §
issued to EDGAR ROLAND CORLEY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of EDGAR ROLAND CORLEY, Registered Nurse License Number 511094, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(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 September 3, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.
4. Respondent received an Associate Degree in Nursing from Meridian Junior College, Meridian, Mississippi on May 17, 1982. Respondent was licensed to practice professional nursing in the State of Texas on October 17, 1983.
5. Respondent's complete professional nursing employment history is unknown.

6. At the time of the incidents in Findings of Fact Number Seven (7) through Twelve (12), Respondent was employed as a Registered Nurse with Cypress Fairbanks Medical Center Hospital, Houston, Texas, and had been in this position for approximately five (5) years.
7. On or about December 4, 2007 through January 4, 2008, while employed as a Registered Nurse with Cypress Fairbanks Medical Center Hospital, Houston, Texas, Respondent withdrew Vicodin ES/Lortab, Morphine Sulfate, and Tylenol with Codeine #3 from the Medication Dispensing System (Pyxis) for patients without a valid physicians' order. Respondent's conduct was likely to injure the patient in that the administration of controlled substances without a valid physician's order could result in the patient suffering from adverse reactions.
8. On or about December 11, 2007 and December 31, 2007, while employed as a Registered Nurse with Cypress Fairbanks Medical Center Hospital, Houston, Texas, Respondent withdrew Vicodin ES/Lortab from the Medication Dispensing System (Pyxis) 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 above was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.
9. On or about December 4, 2007 through January 4, 2008, while employed as a Registered Nurse with Cypress Fairbanks Medical Center Hospital, Houston, Texas, Respondent withdrew Vicodin ES/Lortab, Morphine Sulfate, Tylenol with Codeine #3, and Tylenol with Codeine #3 Elixer from the Medication Dispensing System (Pyxis) for patients, but failed to follow the facility's policy and procedures 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 Substance Act).
10. On or about December 4, 2007 through January 4, 2008, while employed as a Registered Nurse with Cypress Fairbanks Medical Center Hospital, Houston, Texas, Respondent misappropriated Vicodin ES/Lortab, Morphine Sulfate, Tylenol with Codeine #3, and Tylenol with Codeine #3 Elixer from the facility and the patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and the patients of the cost of the narcotics.
11. On or about January 4, 2008, while employed as a Registered Nurse with Cypress Fairbanks Medical Center Hospital, Houston, Texas, Respondent engaged in the intemperate use of Vicodin, in that he produced a specimen for a drug screen which resulted positive for Vicodin. Possession of Vicodin is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substance Act). The use of Vicodin 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, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.

12. On or about January 4, 2008, while employed as a Registered Nurse with Cypress Fairbanks Medical Center Hospital, Houston, Texas, Respondent lacked fitness to practice registered nursing in that he became visibly distraught after a drug screen, and attempted to stab himself with a pair of scissors in his chest/abdomen area. Subsequently, he was escorted to the Emergency Room for an attempted suicide, and then transferred to a psychiatric facility for further care. 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.
13. 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.
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.
15. In response to Finding of Fact Numbers Seven (7) through Eleven (11), Respondent states that he admits to misappropriating Vicodin and for this he is sorry. Respondent stated that he never misappropriated Morphine or Tylenol with Codeine. Respondent states that he doesn't know if he just didn't follow correct charting, or never got a verbal order signed, but denies abusing these drugs. Respondent asserts he only tested positive for Vicodin, which he had a prescription for.
16. In response to Finding of Fact Number Twelve (12), Respondent states that after this incident, he was taken to a psych facility for one (1) week of inpatient treatment and three (3) weeks of daily continued psych and chemical dependency program.
17. Respondent's conduct described in Findings of Fact Numbers Seven (7) through Twelve (12) resulted from Respondent's impairment by dependency on chemicals and mental illness.
18. 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, 22 TEX. ADMIN. CODE §217.11(1)(B)(C)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)(B),(4),(5),(6)(G),(10)(A)(C)(D)&(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 511094, heretofore issued to EDGAR ROLAND CORLEY, 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 EDGAR ROLAND CORLEY, 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.

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.

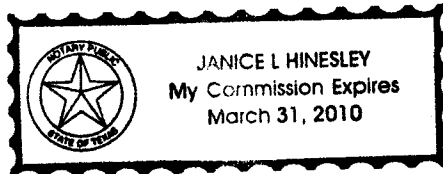
Signed this 17th day of SEPTEMBER, 2009.

Edgar R. Corley
EDGAR ROLAND CORLEY, Respondent

Sworn to and subscribed before me this 17th day of September, 2009.


SEAL

Janice J. Hinesley
Notary Public in and for the State of Texas



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 17th day of September, 2009, by EDGAR ROLAND CORLEY, Registered Nurse License Number 511094, and said Order is final.

Entered and effective this 25 day of Sept, 2009.


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