



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.
Patricia R. Thomas
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 682357 § AGREED
issued to SARAH KRISTIN GUNN § ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of License Number 682357, issued to SARAH KRISTIN GUNN, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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, 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 a Baccalaureate Degree in Nursing from the University of Texas Health Science Center, Houston, Texas, on May 1, 2001. Respondent was licensed to practice professional nursing in the State of Texas on November 6, 2001.

5. Respondent's professional employment history includes:

May 2001 - October 2001	Graduate Nurse Saint Luke's Episcopal Hospital Houston, Texas
November 6, 2001 - November 29, 2001	Staff Nurse Saint Luke's Episcopal Hospital Houston, Texas
December 12, 2001 - January 28, 2002	Staff Nurse Hermann Memorial City Hospital Houston, Texas
February 2002 - June 16, 2002	Employment Unknown
June 17, 2002 - September 28, 2002	Staff Nurse Christus St. Catherine Hospital Katy, Texas
September 29, 2002 - January 21, 2003	Employment Unknown
January 22, 2003 - February 24, 2003	Staff Nurse Heartland at Willowbrook Houston, Texas
February 25, 2003 - present	Employment Unknown

6. On August 9, 2002, Respondent was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas which required her to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the findings of fact, conclusions of law, and Agreed Order dated August 9, 2002, is attached and incorporated by reference as part of this Order.
7. At the time of the initial incident, Respondent was employed as a Staff Nurse at Christus St. Catherine Hospital, Katy, Texas, and had been in this position for three (3) months.

8. Respondent, on or about September 28, 2002, while employed at Christus St. Catherine Hospital, Katy, Texas, was found unconscious in the restroom. Following a search of Respondent's person, she was found to be in possession of the following:

- (1) - 25 mg Demerol un-tampered vial.
- (2) - 50 mg Demerol un-tampered vials.
- (6) - 25 mg Demerol empty vials.
- (6) - 50 mg Demerol empty vials.
- (1) - 100 mg Demerol empty vial.

Respondent's conduct could affect her ability to recognize subtle signs, symptoms, or changes in the patient's condition, and could affect her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

9. Respondent, on or about September 28, 2002, while employed at Christus St. Catherine Hospital, Katy, Texas, misappropriated Demerol from the facility and patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.
10. Respondent, on or about September 28, 2002, while employed at Christus St. Catherine Hospital, Katy, Texas, accessed the PYXIS Medication System using another nurse's password. Respondent then withdrew Demerol from the PYXIS for her own personal use. 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).
11. Respondent, on or about September 28, 2002, while employed at Christus St. Catherine Hospital, Katy, Texas, engaged in the intemperate use of Demerol, in that Respondent produced a specimen for a drug screen which resulted positive for Demerol. Possession of Demerol is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Demerol 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 in potential danger.
12. At the time of the incidents in Findings of Fact Numbers twelve (12) and thirteen (13), Respondent was employed as a Staff Nurse at Heartland at Willowbrook, Houston, Texas, and had been in this position for less than one (1) month.
13. Respondent, on or about February 11, 2003, while employed at Heartland at Willowbrook, Houston, Texas, engaged in the intemperate use of Hydromorphone, in that Respondent produced a specimen for a drug screen which resulted positive for Hydromorphone. Possession of Hydromorphone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Hydromorphone 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 in potential danger.

14. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice professional nursing in the State of Texas.
15. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
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.

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 violation of Section 301.452(b)(1),(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1),(12),(19),(20)&(22).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 682357, heretofore issued to SARAH KRISTIN GUNN, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452(b), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of License Number 682357, heretofore issued to SARAH KRISTIN GUNN, to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners.

In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to SARAH KRISTIN GUNN, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice professional nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

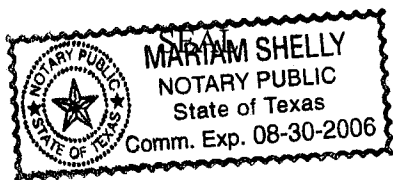
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 1 day of May, 2003
Sarah Gunn

SARAH KRISTIN GUNN, Respondent

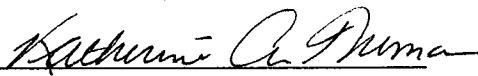
Sworn to and subscribed before me this 1 day of May, 2003
Marianne

Notary Public in and for the State of Tx



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of License Number 682357, previously issued to SARAH KRISTIN GUNN.

Effective this 7th day of May, 2003.


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