



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 § AGREED  
Vocational Nurse License Number 221862 §  
issued to CHRISTOPHER RHYNE ORAND § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHRISTOPHER RHYNE ORAND, Vocational Nurse License Number 221862, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13)and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 16, 2012, by Katherine A. Thomas, MN, RN, FAAN, 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(s).
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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Texarkana Community College, Texarkana, Texas, on February 20, 2009. Respondent was licensed to practice vocational nursing in the State of Texas on May 21, 2009.

5. Respondent's vocational nursing employment history includes:

|                   |     |   |
|-------------------|-----|---|
| 02/2009 - 11/2009 | LVN | HealthSouth Rehabilitation Hospital of<br>Texarkana<br>Texarkana, Texas |
| 03/2009 - 02/2010 | LVN | Edgewood Manor Nursing and Rehabilitation<br>Home<br>Texarkana, Texas   |
| 11/2009 - Unknown | LVN | Wadley Regional Medical Center<br>Texarkana, Texas                      |
| 05/2011 - Present | LVN | Christus St. Michael Hospital<br>Texarkana, Texas                       |

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with HealthSouth Rehabilitation Hospital of Texarkana, Texarkana, Texas, and had been in this position for approximately nine (9) months.

7. On or about November 8, 2009 through November 17, 2009, while employed as a Licensed Vocational Nurse with HealthSouth Rehabilitation Hospital of Texarkana, Texarkana, Texas, Respondent withdrew Hydrocodone from the MedDispense Station medication dispensing system, for Patient Medical Record Numbers 18208, 12525, and 19651, but failed to document or accurately document the administration of the medication in the patients' Medication Administration Records and/or nurse's notes, as follows:

| Date/ Time            | Patient | Medication                            | Physician's Order  | MAR      | Nurses Notes | Wastage |
|-----------------------|---------|---------------------------------------|--|----------|--------------|---------|
| 11/08/2009<br>7:10PM  | 18208   | Hydrocodone/APAP<br>10/325 10 tab (2) | Hydrocodone/APAP 10/325 tab po<br>prn q 4hrs 1 for mild/moderate pain<br>2 for severe pain | 1900 (2) | None         | None    |
| 11/14/2009<br>9:49PM  | 12525   | Hydrocodone/APAP<br>7.5m tab (2)      | Lortab 7.5/325mg q 4hrs prn 1-2<br>tabs  | 2145 (2) | None         | None    |
| 11/17/2009<br>12:03AM | 19651   | Hydrocodone/APAP<br>10/325 10 tab (2) | Hydrocodone/APAP 10/325 tab po<br>prn q 4hrs 1 for mild/moderate<br>pain 2 for severe pain | 0005 (2) | None         | None    |

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on his documentation to further medicate the patient which could result in an overdose.

8. On or about November 16, 2009, and November 17, 2009, while employed as a Licensed Vocational Nurse with HealthSouth Rehabilitation Hospital of Texarkana, Texarkana, Texas, Respondent withdrew Demerol from the MedDispense Station medication dispensing system, for Patient Medical Record Number 18868, but failed to document or accurately document the administration of the medication in the Medication Administration Record (MAR) and/or Nurse's Notes, as follows:

| Date/Time                | Patient | Medication                     | Physician's Order                       | MAR       | Nurse's Notes | Wastage       |
|--------------------------|---------|--------------------------------|---|-----------|---------------|---------------|
| 11/16/2009<br>8:40:09PM  | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg IV q<br>4hrs prn pain | None      | None          | 08:40:06PM 25 |
| 11/16/2009<br>10:14:45PM | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg IV q<br>4hrs prn pain | 2214 25mg | None          | 10:17:59PM 25 |
| 11/17/2009<br>12:14:51AM | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg IV q<br>4hrs prn pain | 0020 25mg | None          | 12:22:45AM 25 |
| 11/17/2009<br>2:13:03AM  | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg IV q<br>4hrs prn pain | 0215 25mg | None          | 2:15:34AM 25  |
| 11/17/2009<br>4:00:53AM  | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg IV q<br>4hrs prn pain | None      | None          | 4:03:52AM 25  |

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on his documentation to further medicate the patient which could result in an overdose.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states: "I never withdrew Hydrocodone for any patient without administering all the medication I withdrew from the Med-Dispense med station..."
10. On or about November 16, 2009, and November 17, 2009, while employed as a Licensed Vocational Nurse with HealthSouth Rehabilitation Hospital of Texarkana, Texarkana, Texas, Respondent withdrew Demerol from the MedDispense Station medication dispensing system, for Patient Medical Record Number 18868, in excess frequency/dosage of the physician's orders, as follows:

| Date/Time                | Patient | Medication                     | Physician's Order                       | MAR       | Nurse's Notes                                    | Wastage                                       |
|--------------------------|---------|--------------------------------|---|-----------|--|---|
| 11/16/2009<br>6:44:24PM  | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg<br>IV q 4hrs prn pain | 1845 25mg | Late entry<br>Demerol given<br>25mg; pt tol well | 6:44:14PM 25<br>Dosage more<br>than required  |
| 11/16/2009<br>8:40:09PM  | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg<br>IV q 4hrs prn pain | None      | None   | 08:40:06PM 25<br>Dosage more<br>than required |
| 11/16/2009<br>10:14:45PM | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg<br>IV q 4hrs prn pain | 2214 25mg | None   | 10:17:59PM 25<br>Dosage more<br>than required |
| 11/17/2009<br>12:14:51AM | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg<br>IV q 4hrs prn pain | 0020 25mg | None   | 12:22:45AM 25<br>Dosage more<br>than required |

| Date/Time               | Patient | Medication                     | Physician's Order                       | MAR       | Nurse's Notes | Wastage                                      |
|-------------------------|---------|--------------------------------|---|-----------|---------------|--|
| 11/17/2009<br>2:13:03AM | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg<br>IV q 4hrs prn pain | 0215 25mg | None          | 2:15:34AM 25<br>Dosage more<br>than required |
| 11/17/2009<br>4:00:53AM | 18868   | Meperidine HCl<br>50mg inj (1) | Demerol 25mg-50mg<br>IV q 4hrs prn pain | None      | None          | 4:03:52AM 25<br>Dosage more<br>than required |

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 patient suffering from adverse reactions.

11. In response to Finding of Fact Number Ten (10), Respondent states: On November 17, 2009, there was an occasion where another nurse had been working the day shift and stated "there was one particular patient who had an order for Demerol 25 to 50mg every four hours." In addition, the other nurse states "I had been giving 25mg of Demerol every 2 hours because if you half the dose, then you can half the time." I administered 25mg of Demerol every 2 hours, on approximately 4 different occasions the night shift I worked. When I came in the following night for work, I was told to report to Administration for a conference. It was discussed that the other nurse had removed an excess amount of Demerol. HealthSouth placed me on Administrative Leave for "failure to assess/reassess a patient's pain score accurately." I offered to take a drug screen immediately; however, Administration informed me it would not be necessary at this time.
12. On or about June 2012, while employed as a Licensed Vocational Nurse with Christus St. Michael Hospital, Texarkana, Texas, Respondent admitted that he had been misappropriating narcotics belonging to the facility and patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications
13. The Respondent's conduct as described in the preceding Finding(s) 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. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
16. 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(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4), (6)(G),(8)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 221862, heretofore issued to CHRISTOPHER RHYNE ORAND, including revocation of Respondent's license(s) 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 three hundred fifty dollars (\$350.00) 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 all applicable license(s) 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(s) is/are 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(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

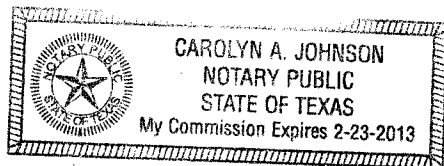
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3rd day of October, 2012.

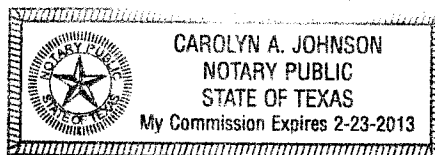
Christopher Rhyne Orand  
CHRISTOPHER RHYNE ORAND, RESPONDENT

Sworn to and subscribed before me this 3rd day of October, 2012.

SEAL



Carolyn Johnson  
Notary Public in and for the State of 2/23/13



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 3rd day of October, 2012, by CHRISTOPHER RHYNE ORAND, Vocational Nurse License Number 221862, and said Order is final.

Entered and effective this 10th day of October, 2012.

*Katherine A. Thomas*

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

