



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 P. Plummer
Executive Director of the Board

In the Matter of
Permanent Registered Nurse
License Number 737253
Issued to CAREY LEA HALL,
Respondent

§ BEFORE THE TEXAS
§
§
§ BOARD OF NURSING
§

ORDER OF TEMPORARY SUSPENSION

TO: CAREY LEA HALL
356 DARRELL RD.
ROANOKE, TX 76262

A public meeting of the Texas Board of Nursing was held on **September 11, 2012**, at 333 Guadalupe Street, Suite 3-460, Austin, Texas, 78701, in which the Temporary Suspension of Permanent Registered Nurse License Number 737253, issued to CAREY LEA HALL was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of CAREY LEA HALL and whether her continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

CHARGE I.

On or about July 5, 2011, Respondent engaged in the intemperate use of Benzodiazepines (Oxazepam) in that while participating in the Texas Peer Assistance Program for Nurses (TPAPN), she submitted a specimen for a drug screen which resulted positive for Benzodiazepines (Oxazepam). Possession of Benzodiazepines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Benzodiazepines 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(D)&(11)(B).

CHARGE II.

On or about July 5, 2011, Respondent failed to comply with the Agreed Order issued to her on February 17, 2011, by the Texas Board of Nursing. Noncompliance is the result of a drug screen that resulted positive for Benzodiazepines, which constitutes a failure to comply with Stipulation Number Three (3) of the Agreed Order dated February 17, 2011, which reads as follows:

(3) RESPONDENT SHALL, comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

A copy of the Findings of Fact, Conclusions of Law and Order dated February 17, 2011, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.12(9)&(11)(B).

CHARGE III.

On or about March 19, 2012, Respondent engaged in the intemperate use of Marijuana in that while participating in the Texas Peer Assistance Program for Nurses (TPAPN), she submitted a specimen for a drug screen which resulted positive for Marijuana. Possession of Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Marijuana 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.

The above action constitutes grounds for disciplinary action in accordance with Section

301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.12(10)(D)&(11)(B).

CHARGE IV.

On or about March 19, 2012, Respondent failed to comply with the Agreed Order issued to her on February 17, 2011, by the Texas Board of Nursing. Noncompliance is the result of a drug screen that resulted positive for Marijuana, which constitutes a failure to comply with Stipulation Number Three (3) of the Agreed Order dated February 17, 2011, which reads as follows:

(3) RESPONDENT SHALL, comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

A copy of the Findings of Fact, Conclusions of Law and Order dated February 17, 2011, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

CHARGE V.

On or about April 2, 2012, Respondent engaged in the intemperate use of Marijuana in that while participating in the Texas Peer Assistance Program for Nurses (TPAPN), she submitted a specimen for a drug screen which resulted positive for Marijuana. Possession of Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Marijuana 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(D)&(11)(B).

CHARGE VI.

On or about April 2, 2012, Respondent failed to comply with the Agreed Order issued to her on February 17, 2011, by the Texas Board of Nursing. Noncompliance is the result of a drug screen that resulted positive for Marijuana, which constitutes a failure to comply with Stipulation Number Three (3) of the Agreed Order dated February 17, 2011, which reads as follows:

(3) RESPONDENT SHALL, comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

A copy of the Findings of Fact, Conclusions of Law and Order dated February 17, 2011, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

CHARGE VII.

On or about April 3, 2012, Respondent engaged in the intemperate use of Marijuana in that while participating in the Texas Peer Assistance Program for Nurses (TPAPN), she submitted a specimen for a drug screen which resulted positive for Marijuana. Possession of Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Marijuana 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(D)&(11)(B).

CHARGE VIII.

On or about April 3, 2012, Respondent failed to comply with the Agreed Order issued to her on February 17, 2011, by the Texas Board of Nursing. Noncompliance is the result of a drug screen that resulted positive for Marijuana, which constitutes a failure to comply with Stipulation Number Three (3) of the Agreed Order dated February 17, 2011, which reads as follows:

(3) RESPONDENT SHALL, comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

On April 17, 2012, Respondent was dismissed from TPAPN and her case was referred to the Board. A copy of the Findings of Fact, Conclusions of Law and Order dated February 17, 2011, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

The Texas Board of Nursing further finds that, given the nature of the charges concerning her fitness to practice, the continued practice of nursing by CAREY LEA HALL constitutes a continuing and imminent threat to public welfare and that the temporary suspension of , Permanent Registered Nurse License Number 737253, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 737253, issued to CAREY LEA HALL, to practice nursing in the State of Texas be, and the same is/are, hereby SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order,

and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61st day following the date of the entry of this order.

Entered this 11 day of September, 2012.

TEXAS BOARD OF NURSING

BY: 
KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR

D4551-09/22/2011