



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 Thomas
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 580248 § AGREED
issued to SUSAN CHRISTINE HODGES § ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinaft referred to as the Board, produced evidence indicating that SUSAN CHRISTINE HODGE hereinafter referred to as Respondent, License Number 580248, may have violated Section 301.452(b)(10), Texas Occupations Code.

An informal conference was held on April 23, 2002, at the office of the Board of Nurse Examiners, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Robin T. Cravey, Attorney at Law. In attendance were Carol Marshall, RN, Nurse Consultant, Executive Director's Designee; Deborah Bell, CLU, ChFC, Board Member; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Cathy Hilliard, BSN, RN, Investigator; Candace Villarreal, Investigator; and Noemi Leal, Supervising Investigator.

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 notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from Algonquin College, Ottawa, Ontario, Canada, in June 1990. Respondent was licensed to practice professional nursing in the State of Texas on June 19, 1992.

5. Respondent's professional employment history includes:

- | | |
|---------------|---------------------------------------------------------------------------|
| 01/91 - 06/91 | Staff Nurse
Capital Aviator
Ottawa, Ontario, Canada |
| 05/90 - 1992 | Staff Nurse
National Defense Medical Center
Ottawa, Ontario, Canada |
| 5/92 - 3/00 | Staff Nurse
Hendrick Medical Center
Hereford, Texas |
| 04/00 - 6/01 | Staff Nurse
Austin Radiological Association
Austin, Texas |
| Present | Staff Nurse/Emergency Room
Seton Northwest
Austin, Texas |

6. At the time of the incidents Respondent was employed as a Staff Nurse with Austin Radiological Association, Austin, Texas, and had been in this position for nine (9) months.
7. Respondent, while employed with Austin Radiological Association, Austin, Texas, during a period of time from January 2001 through June 2001, on one occasion exhibited the following behavior while on duty: less focus on patient care, complained of dizziness, lightheadedness, could not walk without holding on to walls, and appeared tired and slow. 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.

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8. Respondent, while employed with Austin Radiological Association, Austin, Texas, signed out Demerol on the Controlled Substance Record for patients but failed to follow the facility's policy and procedure for the wastage, as follows:

Date/Time	Patient	Controlled Substance Record	Wastage Signature
1/9/01 @ 1715	P. M.	Demerol 100 mg	Demerol 40 mg wasted, no witness signature
1/30/01 @ 1200	J. H.	Demerol 100mg	Demerol 50 mg wasted, no witness signature
1/31/01 @ 1100	C. M.	Morphine 10mg	Morphine 5 mg wasted, no witness signature

Respondent's conduct had the potential to deceive the pharmacy and place them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

9. Respondent, while employed with the aforementioned facility, on or about June 27, 2001, failed to take precautions to prevent the misappropriation of six (6) Vicodin belonging to a patient.
10. Respondent completed a psychological evaluation on June 5, 2002 which included a chemical dependency component and a polygraph. The evaluation was performed by Matthew L. Ferrara, Ph.D., Clinical and Forensic Psychologist. Dr. Ferrara states that Respondent is capable of abstract reasoning, her thinking is logical and rational. She shows no signs of hallucinations, delusions, or psychosis. The SASSI-3 results indicate a low probability of having a substance abuse disorder. Polygraph exam indicated no deception.

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)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1), (12), (18), & (19).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 580248, heretofore issued to SUSAN CHRISTINE HODGES, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent is subject to this order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to SUSAN CHRISTINE HODGES, to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will

not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING, UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE, OR WHERE DIRECT PATIENT CARE IS NOT PROVIDED, WILL NOT APPLY TO THIS STIPULATION PERIOD. COMPLIANCE WITH ALL THE STIPULATIONS IN THIS ORDER FOR A TOTAL OF ONE (1) YEAR OF EMPLOYMENT AS A REGISTERED NURSE SHALL CONSTITUTE FULL COMPLIANCE:

(4) RESPONDENT SHALL notify each present employer in professional nursing of this Order of the Board. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in professional nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form to the Board's office within five (5) days of employment as a professional nurse.

(6) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising RN is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising RN shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for one (1) year of employment as a professional nurse.

(8) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription.

(9) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week for one (1) month and then once every two (2) weeks for two (2) months. For the second three (3) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT's place of employment at any time during the stipulation and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

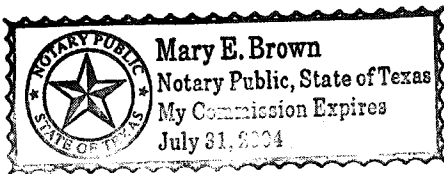
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 10 day of October, 2002.

Christine Hodges
SUSAN CHRISTINE HODGES, Respondent

Sworn to and subscribed before me this 10th day of October, 2002.

SEAL



Mary E. Brown

Notary Public in and for the State of 7-31-04

Approved as to form and substance.

Robin T. Cravey
ROBIN T. CRAVEY, Attorney for Respondent

Signed this 15th day of Oct, 2002

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 10th day of October, 2002, by SUSAN CHRISTINE HODGES, License Number 580248, and said Order is final.

Effective this 12th day of November, 2002.



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