



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 A. Plummer
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Vocational Nurse License Number 193428 §
issued to PATRICIA LYNETTE JIMERSON §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 193428, issued to PATRICIA LYNETTE JIMERSON, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in vocational nursing from Concord Career Institute-Extended Health, Arlington, Texas, on April 3, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on May 18, 2004.
4. Respondent's complete vocational nursing employment history includes:

05/04-04/05	LVN	Windsor Place Nursing and Rehabilitation Lancaster, Texas
06/05-06/11	LVN	Preferred Visiting Nurses Mesquite, Texas

Respondent's complete vocational nursing employment history continued:

05/07-11/07	LVN	Infinite Home Health Duncanville, Texas
07/11-12/11	LVN	Brookedale Living DeSoto, Texas
01/12-Present	Unknown	

5. On or about April 4, 2013, Formal Charges were filed against Respondent. A copy of the Formal Charges filed on April 4, 2013, is attached and incorporated herein by reference as part of this Order.
6. On July 16, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated July 15, 2013, is attached and incorporated herein by reference as part of this Order.
7. 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.
8. 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(s) of 22 TEX. ADMIN. CODE § 217.11(1)(A), (B) & (D). and 22 TEX. ADMIN. CODE § 217.12(1)(A)&(B),(4),(5),(6)(G),(8),(10)(A),(B)&(C) and (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 193428, heretofore issued to PATRICIA LYNETTE JIMERSON, including revocation of Respondent's license(s) 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, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 193428, heretofore issued to PATRICIA LYNETTE JIMERSON, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a "vocational" nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a "vocational" nurse during the period in which the license is surrendered.
2. 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.
3. 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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 18th day of July, 2013.

TEXAS BOARD OF NURSING

By:



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

In the Matter of	§	BEFORE THE TEXAS
Permanent Vocational Nurse	§	
License Number 193428	§	
Issued to PATRICIA LYNETTE JIMERSON,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, PATRICIA LYNETTE JIMERSON, is a Vocational Nurse holding License Number 193428, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about September 22, 2011, through December 17, 2011, while employed as a Licensed Vocational Nurse with Brookdale Living, DeSoto, Texas, Respondent withdrew Hydrocodone from the Medication Dispensing System for patients and failed to document or completely and accurately document the administration of, including signs, symptoms and responses to the medications in the patients Medication Administration records, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time</u>	<u>Medication</u>	<u>MAR</u>	<u>Nurses Notes</u>	<u>Waste</u>	<u>Order</u>
CE	10/13/11	600 AM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
BL	10/14/11	800 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
BL	10/20/11	645 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
CE	10/25/11	440 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
CE	10/25/11	855 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
CE	10/30/11	645 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
BL	11/10/11	315 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
CE	11/10/11	615 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain

STAFF'S EXHIBIT 2

BL	11/13/11	150 AM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
BL	11/26/11	615 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
BL	11/30/11	820 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
MH	12/03/11	140 PM	Hydrocodone-APAP 7.5/500 (1)	None	None	None	Hydrocodone 7.5/500 1 tab PO BID PRN Q6H PRN max 4 daily
MH	12/04/11	1230 AM	Hydrocodone-APAP 7.5/500 (1)	None	None	None	Hydrocodone 7.5/500 1 tab PO BID PRN Q6H PRN max 4 daily
CE	12/09/11	120 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
BL	12/15/11	1100 AM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
BL	12/17/11	130 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
MH	12/17/11	320 PM	Hydrocodone-APAP 7.5/500 (1)	None	None	None	Hydrocodone 7.5/500 1 tab PO BID PRN Q6H PRN max 4 daily
MH	12/17/11	810 PM	Hydrocodone-APAP 7.5/500 (1)	None	None	None	Hydrocodone 7.5/500 1 tab PO BID PRN Q6H PRN max 4 daily

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

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4)&(10)(B).

CHARGE II.

On or about September 22, 2011, through December 17, 2011, , while employed as a Licensed Vocational Nurse with Brookdale Living, DeSoto, Texas, Respondent withdrew Hydrocodone from the Medication Dispensing System for patients and failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications, as follows:

<u>Patient</u>	<u>Date</u>	<u>Time</u>	<u>Medication</u>	<u>MAR</u>	<u>Nurses Notes</u>	<u>Waste</u>	<u>Order</u>
CE	10/13/11	600 AM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
BL	10/14/11	800 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO

STAFF'S EXHIBIT 2

BL	10/20/11	645 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
CE	10/25/11	440 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
CE	10/25/11	855 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
CE	10/30/11	645 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
BL	11/10/11	315 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
CE	11/10/11	615 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab-PO 2 daily for pain
BL	11/13/11	150 AM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
BL	11/26/11	615 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
BL	11/30/11	820 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
MH	12/03/11	140 PM	Hydrocodone-APAP 7.5/500 (1)	None	None	None	Hydrocodone 7.5/500 1 tab PO BID PRN Q6H PRN max 4 daily
MH	12/04/11	1230 AM	Hydrocodone-APAP 7.5/500 (1)	None	None	None	Hydrocodone 7.5/500 1 tab PO BID PRN Q6H PRN max 4 daily
CE	12/09/11	120 PM	Hydrocodone-APAP 5/325 (1)	None	None	None	Hydro/APAP 5/325 1 tab PO 2 daily for pain
BL	12/15/11	1100 AM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
BL	12/17/11	130 PM	Hydrocodone-APAP 5/500 (1)	None	None	None	Hydro/APAP 5/500 1 tab PO
MH	12/17/11	320 PM	Hydrocodone-APAP 7.5/500 (1)	None	None	None	Hydrocodone 7.5/500 1 tab PO BID PRN Q6H PRN max 4 daily
MH	12/17/11	810 PM	Hydrocodone-APAP 7.5/500 (1)	None	None	None	Hydrocodone 7.5/500 1 tab PO BID-PRN Q6H PRN max 4 daily

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).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(10)(C)&(11)(B).

CHARGE III.

On or about August 2011, through December 2011, while employed as a Licensed Vocational Nurse with Brookdale Living, DeSoto, Texas, Respondent misappropriated Hydrocodone from the facility or patients thereof or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(B),(6)(G),(8) and (11)(B).

CHARGE V.

On or about December 21, 2011, while employed as a Licensed Vocational Nurse with Brookdale Living, DeSoto, Texas, Respondent engaged in the intemperate use of Propoxyphene in that she submitted a specimen for a drug screen that produced a positive result for Propoxyphene. Unlawful possession of Propoxyphene is prohibited by Chapter 481, of the Texas Health and Safety Code (Controlled Substances Act). The use of Propoxyphene by a Licensed Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patients 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(1)(A)&(B),(4),(5),(10)(A)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

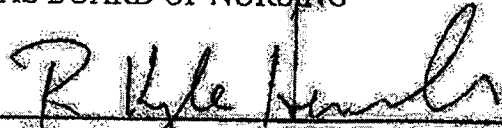
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, for Fraud, Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

Filed this 4th day of April, 2013.

TEXAS BOARD OF NURSING



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Patricia Lynette Jimerson
529 Faye St.
Desoto, TX 75115
Vocational Nurse License Number 193428

Voluntary Surrender Statement

July 15, 2013

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas. I, PATRICIA LYNETTE JIMERSON, waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Patricia Jimerson
Date 7-15-13

PATRICIA LYNETTE JIMERSON,
Vocational Nurse License Number 193428

The State of Texas

Before me, the undersigned authority, on this date personally appeared PATRICIA LYNETTE JIMERSON, who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me this 15th day of July, 2013.

SEAL

Carlos Gutierrez
Notary Public in and for the State of TEXAS

