



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

In the Matter of
SARAH NOELLE CORNELSEN,
Vocational Nurse License Number 214444

§ BEFORE THE TEXAS
§
§ BOARD OF NURSING

NUNC PRO TUNC ORDER OF THE BOARD

TO: Sarah Noelle Cornelsen
5709 3rd
Lubbock, TX 79416

On June 10, 2013, an Agreed Order for Sarah Noelle Cornelsen was entered by the Executive Director, on behalf of the Texas Board of Nursing (Board). However, the Agreed Order contained the incorrect fee amount on page 4. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Board, after review and due consideration of the record and the facts therein, invalidates the Agreed Order for Sarah Noelle Cornelsen that contains the incorrect information and enters the corrected version of the Agreed Order, which includes the correct amount of the fee. Ms. Cornelsen received due process regarding her license; therefore, her rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Agreed Order is hereby approved and entered on the dates set forth below.

Order effective June 10, 2013.

Entered this 8th day of August, 2013.

TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*
KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR, ON BEHALF OF THE BOARD



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

In the Matter of § AGREED
Vocational Nurse License Number 214444 §
issued to SARAH NOELLE CORNELSEN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SARAH NOELLE CORNELSEN, Vocational Nurse License Number 214444, 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)(9),(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 approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 6, 2013.

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 South Plains College, Lubbock, Texas on December 14, 2007. Respondent was licensed to practice vocational nursing in the State of Texas on February 5, 2008.
5. Respondent's vocational nursing employment history includes:

02/2008 - 10/2009	LVN	University Medical Center Lubbock, Texas
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Respondent's vocational nursing employment history continued:

10/2009 - 12/2009	Unknown	
12/2009 - 12/2010	LVN	Neurology and Sleep Center Lubbock, Texas
12/2010 - 10/2011	Unknown	
10/2011 - 05/2012	LVN	South Plains Rural Health Services Levelland, Texas
05/2012 - 02/2013	LVN	Windmill Village Nursing and Rehabilitation Lubbock, Texas
02/2013 - Present		

6. On or about October 14, 2009, while employed as a Licensed Vocational Nurse with University Medical Center, Lubbock, Texas, Respondent withdrew Morphine, Lortab, Percocet, and Dilaudid from the Medication Dispensing System for patients, but failed to document, or completely and accurately document the administration of Morphine, Lortab, Percocet, and Dilaudid, including signs, symptoms, and responses to the medication in the patients' Medication Administration Records and/or nurses notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.
7. On or about October 14, 2009, while employed as a Licensed Vocational Nurse with University Medical Center, Lubbock, Texas, Respondent withdrew Morphine, Lortab, Percocet, and Dilaudid from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedure for wastage of any of the unused portions of the medications and/or documentation of such. 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).
8. On or about October 14, 2009, while employed as a Licensed Vocational Nurse with University Medical Center, Lubbock, Texas, Respondent misappropriated Morphine, Lortab, Percocet, and Dilaudid from the facility or patients thereof or failed to take precautions to prevent such misappropriation. Additionally, when confronted by her employer about the missing medications Respondent admitted that she needed help. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

9. On or about November 20, 2012, Respondent engaged in the intemperate use of alcohol in that she produced a specimen for a random drug screen, which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of Alcohol. Furthermore, Respondent admitted to alcohol use. The use of alcohol 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 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.
10. On or about February 22, 2013, Respondent engaged in the intemperate and/or unlawful use of Tramadol in that she produced a specimen for a random drug screen, which resulted positive for Tramadol. Furthermore, Respondent admitted to taking an old prescription when she had a severe migraine. Unlawful possession of Tramadol is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Tramadol 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 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.
11. In response to Findings of Fact Numbers Six (6) through Ten (10), Respondent states that she was relieved from her position as a med/surg LVN related to the allegations of misappropriation of medication and immediately filed a self-referral to TPAPN. She was admitted to the Ranch at Dove Tree Detox facility on 10/16/2009, followed by 30 days of inpatient rehabilitation completed on 11/18/2009. After the program, Respondent went through intense outpatient therapy and was in good standing with TPAPN from 12/2009 through 12/2011. Respondent states that she was set to complete TPAPN in 02/2012 but that was extended a year due to a delay in the Return to Work agreement. Respondent admits that she drank eight ounces of red wine at her family's Thanksgiving 2012 dinner. She explains that she then tested positive for alcohol metabolites and the process began to re-start TPAPN. Respondent voluntarily began Intensive Outpatient Therapy with Aspire in Lubbock, Texas, that included classes for relapse and private counseling sessions. Respondent states that while continuing with the TPAPN program she became very sick. She suffers from migraine headaches and has continually been under the care and supervision of a physician. Unable to get relief from the headache, she found an old prescription for Tramadol and took a few.
12. 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.
13. 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.
14. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.

15. 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),(B)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(5),(6)(G), (10)(A),(10)(B),(10)(C),(10)(D)&(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 214444, heretofore issued to SARAH NOELLE CORNELSEN, up to, and 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 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 and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of three hundred and 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.~~

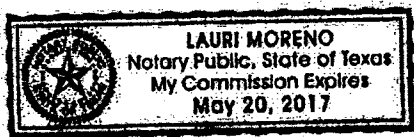
Signed this 7th day of June, 2013.

Sarah Noelle Cornelsen
SARAH NOELLE CORNELSEN, RESPONDENT

Sworn to and subscribed before me this 7th day of June, 2013.

SEAL

Lauri Moreno
Notary Public in and for the State of Texas



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 7th day of June, 2013, by SARAHNOELLE CORNELSEN, Vocational Nurse License Number 214444, and said Order is final.

Entered and effective this 10th day of June, 2013.



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



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Katherine A. Thomas
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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).
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4. Respondent received a Certificate in Vocational Nursing from South Plains College, Lubbock, Texas on December 14, 2007. Respondent was licensed to practice vocational nursing in the State of Texas on February 5, 2008.
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LVN

University Medical Center
Lubbock, Texas

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11. In response to Findings of Fact Numbers Six (6) through Ten (10), Respondent states that she was relieved from her position as a med/surg LVN related to the allegations of misappropriation of medication and immediately filed a self-referral to TPAPN. She was admitted to the Ranch at Dove Tree Detox facility on 10/16/2009, followed by 30 days of inpatient rehabilitation completed on 11/18/2009. After the program, Respondent went through intense outpatient therapy and was in good standing with TPAPN from 12/2009 through 12/2011. Respondent states that she was set to complete TPAPN in 02/2012 but that was extended a year due to a delay in the Return to Work agreement. Respondent admits that she drank eight ounces of red wine at her family's Thanksgiving 2012 dinner. She explains that she then tested positive for alcohol metabolites and the process began to re-start TPAPN. Respondent voluntarily began Intensive Outpatient Therapy with Aspire in Lubbock, Texas, that included classes for relapse and private counseling sessions. Respondent states that while continuing with the TPAPN program she became very sick. She suffers from migraine headaches and has continually been under the care and supervision of a physician. Unable to get relief from the headache, she found an old prescription for Tramadol and took a few.
12. 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.
13. 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.
14. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.

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CONCLUSIONS OF LAW

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ORDER

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(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 and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) 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.

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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

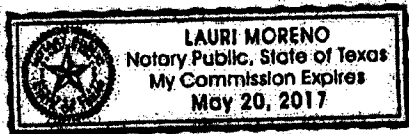
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer 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 7th day of June, 2013.

Sarah Noelle Cornelsen
SARAH NOELLE CORNELSEN, RESPONDENT

Sworn to and subscribed before me this 7th day of June, 2013.

SEAL



Lauri Moreno
Notary Public in and for the State of Texas

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 7th day of June, 2013, by SARAH NOELLE CORNELSEN, Vocational Nurse License Number 214444, and said Order is final.

Entered and effective this 10th day of June, 2013.



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