

IN THE MATTER OF PERMANENT
REGISTERED NURSE LICENSE
NUMBER 587828 ISSUED TO
TINA MARIE LYNCH

§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Tina Marie Lynch
6742 N. 63rd
Longmont, CO 80503

During open meeting held in Austin, Texas, on August 6, 2013, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for

rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 587828, previously issued to TINA MARIE LYNCH, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 6th day of August, 2013.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed April 4, 2013.

Re: Permanent Registered Nurse License Number 587828

Issued to TINA MARIE LYNCH

DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of August, 2013, a true and correct copy of the foregoing
DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

Tina Marie Lynch
6742 N. 63rd
Longmont, CO 80503

Via USPS First Class Mail

Tina Marie (Lynch) Parsons
412 Collyer Street
Longmont, CO 80503

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent	§	BEFORE THE TEXAS
Registered Nurse License	§	
Number 587828	§	
Issued to TINA MARIE LYNCH,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TINA MARIE LYNCH, is a Registered Nurse holding License Number 587828 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 October 24, 2000, Respondent received a Stipulation and Final Agency Order from the Colorado State Board of Nursing wherein Respondent's license to practice professional nursing in the State of Colorado was accepted for Relinquishment for failure to comply with prior Colorado State Board of Nursing Orders dated July 31, 1998, and October 18, 2000. Copies of the Stipulation and Final Agency Order issued by the Colorado State Board of Nursing, dated October 24, 2000, Order of Summary Suspension issued by the Colorado State Board of Nursing, dated October 18, 2000, and Stipulation and Order issued by the Colorado State Board of Nursing, dated July 31, 1998, are attached and incorporated by reference as part of this charge.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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, 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.

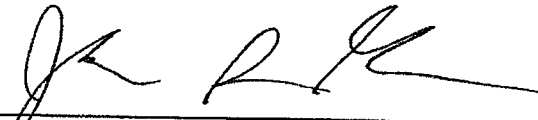
NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Stipulation and Final Agency Order issued by the Colorado State Board of Nursing, dated October 24, 2000, Order of Summary Suspension issued by the Colorado State Board of Nursing, dated October 18, 2000, and Stipulation and Order issued by the Colorado State Board of Nursing, dated July 31, 1998.

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Filed this 4 day of April, 2013.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Stipulation and Final Agency Order issued by the Colorado State Board of Nursing, dated October 24, 2000, Order of Summary Suspension issued by the Colorado State Board of Nursing, dated October 18, 2000, and Stipulation and Order issued by the Colorado State Board of Nursing, dated July 31, 1998.

D/2012.06.19

BEFORE THE STATE BOARD OF NURSING
STATE OF COLORADO

Case No. RGNUDLLXY



I do hereby certify the
foregoing to be a true copy
of the document which
is on file or is of record
in my office

Authorized Signature

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE
TO PRACTICE PROFESSIONAL NURSING IN THE STATE OF COLORADO OF TINA
MARIE PARSONS, RN, LICENSE NO. 88682

IT IS HEREBY STIPULATED by and between the Colorado State Board of Nursing (the "Board") and Tina Marie Parsons, RN ("Respondent") as follows:

1. The Board has jurisdiction over the person of Respondent and the subject matter of this Stipulation and Final Agency Order ("Stipulation and Order").
2. Respondent was licensed to practice as a professional nurse in the State of Colorado at all relevant times herein and is now so licensed.
3. Respondent admits the following:
 - a. On July 31, 1998, as a result of drug and alcohol abuse, Respondent entered into an agreement with the Board that included a five-year probation period.
 - b. On August 20, 1999, the Board suspended Respondent for three months for probation violations. Specifically, Respondent failed to submit timely reports and had the following positive urine samples: 1) October 22, 1998, for cocaine; 2) November 11, 1998, for cocaine; and 3) April 15, 1999, for THC (tetrahydrocannabinol).
 - c. On January 7, 2000, Respondent's license was reinstated. Respondent was placed on probation including, among other things, abstinence from all alcohol, controlled substances, habit-forming drugs or any drugs with the same or similar effects that were not currently prescribed for Respondent by an authorized health care practitioner.
 - d. On 3-20-00, Respondent submitted a urine sample that was positive for bleach.

- e. On 3-27-00, Respondent submitted a urine sample that was positive for THC.
- f. On 5-12-00, Respondent submitted a urine sample that was positive for THC.
- g. At 5:20 A.M., on October 1, 2000, while on duty at Access Health Solutions, McKesson, Respondent was found seizing, with irregular breathing, vomiting and bleeding from her left hand. Co-workers initiated emergency procedures and called 911.
- h. The Broomfield police and paramedics responded to the call. Upon their arrival, Respondent was noted to be unresponsive. A paramedic administered Narcan and Respondent became alert and oriented.
- i. A search of Respondent's work station revealed five unopened cans of beer in a bag, two needles with blood on the tips and a 30cc bottle in Respondent's computer bag, and an 18 inch braided rubber strand. A police officer took the needles, bottle and rubber strand.
- j. Respondent was transported to the Avista Hospital Emergency Room where she was examined and released.
- k. On October 2, 2000, Respondent left a voice-mail message with the care center manager at Access Health Solutions, McKesson, stating that she was resigning, effective immediately.
- l. Respondent reports that she is presently concentrating on her addiction recovery.

4. By virtue of the admissions in paragraph 3 above, Respondent admits, and the Board hereby finds, that Respondent violated §12-38-117(1)(c), (f), (g), and (i), C.R.S. (1995, and 2000).

5. The statutory authority of the Board is as follows:

12-38-117. Grounds for discipline. (1) "Grounds for discipline," as used in this article, means any action by any person who:

- (c) Has willfully or negligently acted in a manner inconsistent with the health or safety of persons under his care;

- (f) Has negligently or willfully practiced nursing in a manner which fails to meet generally accepted standards for such nursing practice;
- (g) Has negligently or willfully violated any order, rule, or regulation of the Board pertaining to nursing practice or licensure;
- (i) Is addicted to or dependent on alcohol or habit-forming drugs, is a habitual user of controlled substances, as defined in section 12-22-303(7), or other drugs having similar effects, or is diverting controlled substances, as defined in section 12-22-303(7), or other drugs having similar effects from the licensee's place of employment; except that the board has the discretion not to discipline the licensee if such licensee is participating in good faith in a program approved by the board designed to end such addiction or dependency.

6. Respondent hereby relinquishes the license and the right to practice as a professional nurse in the State of Colorado, and requests the Board to accept said relinquishment. Such relinquishment shall have the full force and effect as a revocation ordered by the Board.

7. Respondent understands that if Respondent applies for licensure at any future time, Respondent will be required to comply with all licensure criteria which exist at the time of the application, including re-examination, if necessary.

8. Respondent is fully aware of and understands the right to receive a formal notice of hearing and charges and to have a formal disciplinary hearing, pursuant to § 12-38-116.5, C.R.S. (2000), concerning the facts admitted in paragraph 3 above, and hereby waives those rights and requests that this Stipulation and Order be accepted by the Board with the same force and effect as an Order entered as a result of a formal disciplinary hearing. Further, Respondent also acknowledges this waiver constitutes a waiver of all rights to appeal in this matter.

9. This Stipulation and Order is entered into by Respondent voluntarily, after an opportunity to consult with counsel and with full understanding of the legal consequences of this Stipulation and Order.

10. This Stipulation and Order shall become an Order of the Board when accepted by the Board and signed by an authorized Board representative.

11. This Stipulation and Order is a public record in the custody of the Board at all times.

RESPONDENT

COLORADO STATE BOARD OF NURSING

Tina Marie Parsons
TINA MARIE PARSONS, RN

By:

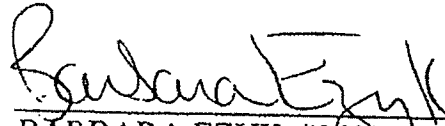
Patricia Ellis
1560 Broadway, Suite 880
Denver, Colorado 80202

Effective Date:

This 24 day of October, 2000.

APPROVED AS TO FORM

KEN SALAZAR
Attorney General



BARBARA EZYK, #26031
Assistant Attorney General
Business and Licensing Section

Attorneys for the State Board of Nursing

1525 Sherman Street, 5th Floor
Denver, Colorado 80203
Telephone: (303) 866-5919
FAX: (303) 866-5395
*Counsel of Record

BEFORE THE STATE BOARD OF NURSING
STATE OF COLORADO



I do hereby certify the
foregoing to be a true copy
of the document which
is on file or is of record
in my office

Charlene L. Gayles
Authorized Signature
5/8/12

Case No. _____

**ORDER OF SUMMARY SUSPENSION, NOTICE OF DUTY TO ANSWER, NOTICE
TO SET AN INFORMAL PREHEARING CONFERENCE, NOTICE OF HEARING,
AND NOTICE OF CHARGES**

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE TO
PRACTICE PROFESSIONAL NURSING IN THE STATE OF COLORADO OF TINA M.
PARSONS, RN, LICENSE NO. 88682,

Respondent. _____

TO: TINA M. PARSONS

ORDER OF SUMMARY SUSPENSION

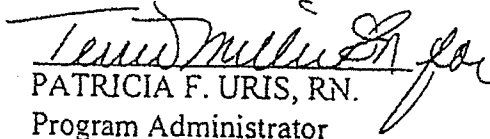
The State Board of Nursing ("Board"), having conducted an investigation as to the
matters referenced below, HEREBY FINDS:

1. The respondent, Tina M. Parsons, has been licensed as a professional nurse in the
State of Colorado at all times relevant herein.
2. The Board has jurisdiction over the respondent and the subject matter herein.
3. Reasonable grounds exist to believe, and the Board so finds, that the respondent has
deliberately and willfully violated the Nurse Practice Act. The grounds are more fully set forth
in the Notice of Charges attached hereto and are incorporated herein by reference.
4. Based on the information contained in the attached Notice of Charges, reasonable
grounds exist to believe, and the Board so finds, that the public health, safety, and welfare
imperatively require that emergency action be taken.

THEREFORE, IT IS HEREBY ORDERED that the license of Tina M. Parsons to
practice professional nursing be and hereby is summarily suspended pending proceedings to
determine whether respondent's license to practice professional nursing should be further
disciplined in accordance with § 12-38-117(1)(c), (f), (g), (i) and (j) C.R.S. (1995 and 2000).

Pending the outcome of said proceedings, IT IS FURTHER ORDERED that Tina M. Parsons immediately cease, desist, and refrain from any further acts for which a license to practice professional nursing is required by the laws of the State of Colorado and that license card be immediately submitted to the Board pending the outcome of this proceeding.

DATED this 17th day of October 2000.


PATRICIA F. URIS, RN.
Program Administrator
State Board of Nursing

NOTICE OF DUTY TO ANSWER

YOU ARE HEREBY NOTIFIED that, pursuant to § 24-4-105(2)(b), C.R.S. (2000), you are hereby required to file a written answer to the attached Notice of Charges with the Division of Administrative Hearings, 1120 Lincoln Street, Suite 1400, Denver, Colorado 80203, within 30 days after the mailing of this Order of Summary Suspension, Notice of Duty to Answer, Notice to Set an Informal Prehearing Conference, Notice of Hearing, and Notice of Charges. You must also mail a copy of such answer to the Board's attorney who has signed this Notice of Duty to Answer, Notice to Set an Informal Prehearing Conference, Notice of Hearing, and Notice of Charges below.

If you fail to file your written answer within 30 days, an order entering a default decision may be issued against your Colorado nursing license for the relief requested in the Notice of Charges, without further notice, or such other penalties which may be provided for by law, without further notice.

NOTICE TO SET AN INFORMAL PREHEARING CONFERENCE

YOU ARE HEREBY NOTIFIED that the attorney for the State Board of Nursing, State of Colorado, will appear at 9:00 a.m. on Monday, November 13, 2000, in the Office of the Chief Administrative Law Judge, Department of Administration, Division of Administrative Hearings, 1120 Lincoln Street, Suite 1400, Denver, Colorado 80203, in order to set a date and obtain a location for a prehearing conference regarding the following Notice of Charges. At the prehearing conference, the parties will obtain a hearing date, arrange an expedited discovery

schedule, and obtain motion dates as necessary. You may be present in person, by counsel, or by telephone by calling the Division of Administrative Hearings at (303) 894-2500 at the time and date indicated above.

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that pursuant to § § 12-38-108, 116.5, and 117, C.R.S. (2000), and 24-4-104 and 105, C.R.S. (2000), that a hearing will be held before an authorized administrative law judge at a time and location to be determined pursuant to the preceding prehearing conference for the purpose of determining whether the professional nursing license of RESPONDENT'S NAME should be revoked or suspended or other lawful discipline imposed for a violation or violations of § 12-38-117(1)(c), (f), (g), (i), and (j). C.R.S. (1995 and 2000), which provide as follows:

12-38-117. Grounds for discipline. (1) "Grounds for discipline", as used in this article, means any action by any person who:

- (c) Has willfully or negligently acted in a manner inconsistent with the health or safety of persons under his care;
- (f) Has negligently or willfully practiced nursing in a manner which fails to meet generally accepted standards for such nursing practice;
- (g) Has negligently or willfully violated any order, rule, or regulation of the Board pertaining to nursing practice or licensure;
- (i) Is addicted to or dependent on alcohol or habit-forming drugs, is a habitual user of controlled substances, as defined in section 12-22-303(7), or other drugs having similar effects, or is diverting controlled substances, as defined in section 12-22-303(7), or other drugs having similar effects from the licensee's place of employment; except that the board has the discretion not to discipline the licensee if such licensee is participating in good faith in a program approved by the board designed to end such addiction or dependency;
- (j) Has a physical or mental disability which renders him unable to practice nursing with reasonable skill and safety to the patients and which may endanger the health or safety of persons under his care.

YOU ARE FURTHER NOTIFIED that at the hearing in this matter you shall have the right to appear in person and/or by legal counsel; to present evidence in your own behalf; to cross-examine any witnesses presented by the State Board of Nursing; and to rebut any evidence presented by the State Board of Nursing. You may also have subpoenas issued on your behalf upon request to the administrative law judge.

NOTICE OF CHARGES

The State Board of Nursing charges and alleges as follows:

1. Tina M. Parsons, hereinafter "respondent," was licensed as a professional nurse in the State of Colorado on or about August 26, 1988, being issued license number 88682, and has been so licensed at all times relevant hereto.
2. The State Board of Nursing, hereinafter "Board" has jurisdiction over the person of the respondent and the subject matter of this Notice of Charges.
3. From approximately April 1996 to January 1997, Respondent was employed as a registered nurse at Lutheran Medical Center ("LMC") in Wheat Ridge. Respondent worked in the Post Anesthesia Care Unit ("PACU").
4. In August 1996, Respondent told her supervisor at LMC that she had been using Demerol outside of the work environment without her physician's consent.
5. Respondent was suspended from work and subsequently negotiated a professional monitoring agreement with LMC, signed by Respondent on October 23, 1996, which allowed Respondent to return to work in the PACU. Respondent also entered into a contract with the Impaired Professional Diversion Program (IPDP) a/k/a Colorado Nurses Health Program (CNHP). Respondent's access to narcotics was restricted as follows:
 - a. Respondent would not have any possession of, or access to, narcotics or any other controlled substances via the narcotic keys or Pyxis code for six months, until approximately March or April 1997.
 - b. Respondent would administer only non-mind-altering medications for six months.
 - c. After successful completion of the first six months, Respondent would be supervised in her administration of controlled substances for the following six months in accordance with the Buddy System policy of IPDP.

Other conditions were placed on Respondent's practice related to her substance abuse problem, including submitting urine samples for drug screening a minimum of twice a week and successful involvement with IPDP.

6. On December 18, 1996, Respondent was on duty and according to the Pyxis printout, Nurse Allen signed out 100 mg of Demerol for patient AP. The printout shows that Nurse Allen "wasted" the entire 100mg at 11:46 P.M. Respondent allegedly witnessed Nurse Allen wasting the Demerol. However, at the time the Demerol was signed out, Nurse Allen was not on duty and AP was not a patient in the PACU. Respondent stated that she used a code belonging to Nurse Allen to sign out the Demerol for AP. Respondent admitted to accessing Nurse Allen's password to sign out narcotics.

7. On December 18, 1996, Respondent was the primary care nurse for patient NP. According to the nurses' notes NP was complaining of pain and Respondent administered 20 mg of Demerol to NP at 11:50 P.M., and another 20mg of Demerol five minutes later at 11:55 P.M. According to the Pyxis printout of December 18, 1996, Nurse Allen signed out 100 mg Demerol at 11:46 P.M. for patient NP. Nurse Allen was not on duty at the time of the sign out.

8. Also on December 18, 1996, Respondent was the primary care nurse for patient CB. Following the surgical repair of a ruptured bladder, CB arrived in the PACU at 10:06 P.M. According to the records, Respondent administered Demerol to CB at 10:06, 10:10, 10:25 and 10:30 P.M. However, at 10:30 P.M., Respondent wrote in the nurse's notes on CB, "No change, sleeps when undisturbed." According to the Pyxis record, at 10:52 P.M., Nurse Allen signed out 30 mg of morphine for a PCA pump for CB. There is no indication in the record that CB used a PCA pump in the PACU and Nurse Allen was not on duty during this time.

9. On December 19, 1996, Nurse Costain was the primary care nurse for patient LS. According to the record, Nurse Costain, administered 40 mg of Demerol to LS and wasted the remainder with Respondent witnessing. According to the Pyxis printout, Nurse Allen signed out 75 mg Demerol at 1:14 A.M. for LS. At 1:15 A.M., the Pyxis printout indicates Nurse Allen signed out 300 mg Demerol for a PCA pump for LS. Nurse Allen was not on duty at the time and there is no indication in the records that the PCA pump was set up or used by CB in the PACU.

10. On January 10, 1997, due to the Pyxis discrepancies and violation of her monitoring agreement, Respondent was terminated from her employment at LMC.

11. In late March 1997, Respondent obtained a nursing position at Boulder Community Hospital. On May 1, 1997, Respondent was terminated for having the PCA keys in her hand during shift change and was additionally observed carrying a Demerol/Morphine delivery set to a PCA pump in direct violation of her IPDP contract.

12. According to the IPDP contract, Respondent was to submit urine samples for drug screens twice a week. However, from September 6, 1996, through January 29, 1997, Respondent submitted only two urine drug screen reports to IPDP.

13. From May 12, 1997 to October 2, 2000, Respondent was employed as a telephone triage nurse at Access Health Solutions, McKesson, in Broomfield.

14. In July 1997, Respondent relapsed after the death of her husband's grandfather and ingested Vicodin and Xanax. Respondent did report the relapse to IPDP.

15. On October 22, 1997, the IPDP Committee voted to refer Respondent's case to the Board for persistent substantial non-compliance.

16. On July 31, 1998, as a result of drug and alcohol abuse, Respondent entered into a Stipulation with the Board that included a five-year probation. The Board agreed to monitor Respondent. By signing the agreement Respondent admitted the facts as set forth in paragraphs 3 through 14 above and admitted that her conduct violated C.R.S. § 12-38-117(1)(c), (f), (h), and (i), (1995). (See attached as Exhibit A) The Stipulation included, among other things, the following:

a. Probation shall be served only while Respondent is employed at least an average of 32 hours, and no more than 80 hours, every two weeks, not less than 16 hours per week, and not done in more than 12 hour shifts;

b. Respondent's supervisor shall submit written quarterly reports;

c. Respondent shall submit to unannounced, random urine drug screens during the entire probation period, and during the first year of probation shall submit urine drug screens at least once per week;

d. Respondent shall be treated on a regular and professional basis by a licensed physician, psychologist, or other qualified licensed professional and he/she shall submit written quarterly reports; and,

e. whether or not Respondent is employed as a nurse, Respondent shall abstain from all alcohol, controlled substances, habit-forming drugs or any drugs with the same or similar effects that were not currently prescribed for Respondent by an authorized health care practitioner.

17. On August 20, 1999, the Board suspended Respondent for three months for probation violations. Specifically, Respondent failed to submit timely reports and had the following positive urine samples: 1) October 22, 1998, for cocaine; 2) November 11, 1998, for cocaine; 3) April 15, 1999, for THC (tetrahydrocannabinol); and 4) July 26, 1999, for alcohol.

Respondent also failed to submit urine samples on the following dates: September 16, 1998, November 25, 1998, December 11, 1998, and December 17, 1998.

18. By signing the Amended Stipulation and Final Agency Order date August 20, 1999, Respondent admitted the facts as set forth in paragraph 17 above and admitted that her conduct violated C.R.S. § 12-38-117(1)(c), (e), (g), (i) and (j), (1995 and 1999). (See attached as Exhibit B)

19. Respondent was suspended from August 20, 1999, through January 7, 2000.

20. Upon reinstatement on January 7, 2000, Respondent entered into a Stipulation and Final Agency Order with the Board that included a five-year probation. The Board agreed to monitor the Respondent. (See attached as Exhibit C). The Stipulation included, among other things, the following:

a. the probation shall be served only while Respondent is employed at least an average of 32 hours, and no more than 80 hours, every two weeks, not less than 16 hours per week, and not done in more than 12 hour shifts;

b. Respondent's supervisor shall submit written quarterly reports;

c. Respondent shall submit to unannounced, random urine drug screens during the entire probation period, and during the first year of probation shall submit urine drug screens at least once per week;

d. Respondent shall be treated on a regular and professional basis by a licensed physician, psychologist, or other qualified licensed professional and he/she shall submit written quarterly reports; and,

e. whether or not Respondent is employed as a nurse, Respondent shall abstain from all alcohol, controlled substances, habit-forming drugs or any drugs with the same or similar effects that were not currently prescribed for Respondent by an authorized health care practitioner.

21. On March 20, 2000, Respondent submitted a urine sample that was positive for bleach.

22. On March 27, 2000, Respondent submitted a urine sample that was positive for THC.

23. On May 12, 2000, Respondent submitted a urine sample that was positive for THC.

24. At 5:20 A.M., on October 1, 2000, while on duty at Access Health Solutions, McKesson, Respondent was found seizing, with irregular breathing, vomiting and bleeding from her left hand. Co-workers initiated emergency procedures and called 911.

25. The Broomfield police and paramedics responded to the call. Upon their arrival, Respondent was noted to be unresponsive. A paramedic called for Narcan and shortly after Respondent became alert and oriented.

26. A search of Respondent's work station revealed five unopened cans of beer in a bag, several 3cc syringes with needles that had blood on the tips and a 30cc bottle in Respondent's computer bag, and an 18 inch braided rubber strand. A police officer took the needles, bottle and rubber strand.

27. Respondent was transported to the Avista Hospital Emergency Room where she was examined and released.

28. On October 2, 2000, Respondent left a voice-mail message with the care center manager at Access Health Solutions, McKesson, stating that she was resigning, effective immediately. Respondent's supervisor reported her to the Board.

COUNT I

(Violation of Board Order)

29. Paragraphs 1 through 28 are incorporated herein by reference as if fully set forth.

30. Respondent submitted a urine sample on March 20, 2000, that was positive for bleach. On March 27, 2000, Respondent submitted a urine sample that was positive for THC. On May 12, 2000, Respondent submitted a urine sample that was positive for THC. These positive urine drug screen reports are a violation of Respondent's probation, see Exhibit C.

31. On October 1, 2000, while on duty as a telephone triage nurse, Respondent was found seizing with irregular breathing and vomiting. Co-workers instituted emergency procedures and called 911. Upon arrival, the paramedics, noting that respondent was unresponsive, called for Narcan, and shortly after Respondent became alert and oriented. Respondent's conduct is a violation of her probation, see Exhibit C.

32. Respondent's conduct is in violation of § 12-38-117(1)(g), C.R.S. (1995 and 2000), more fully set forth above.

COUNT II

(Addiction)

33. Paragraphs 1 through 32 are incorporated herein by reference as if fully set forth.

34. From at least August 1996 to the present, Respondent has been addicted to or dependent on alcohol or habit-forming drugs. Respondent, despite being in a treatment program, has had several relapses.

35. Specifically, from July 1998 to the present, Respondent has had several relapses involving drug and/or alcohol use resulting in non-compliance with the terms of her probation, as more fully set forth above.

36. Respondent is addicted to or dependent on habit-forming drugs, is a habitual user of controlled substances as defined in § 12-22-303(7), C.R.S. (2000), and has diverted controlled substances as defined in § 12-22-303(7), C.R.S. (2000), from the respondent's former place of employment.

37. Respondent's conduct is in violation of § 12-38-117(1)(i), C.R.S. (1995 and 2000), more fully set forth above.

COUNT III

(Health and Safety)

38. Paragraphs 1 through 37 are incorporated herein by reference as if fully set forth.

39. From at least August 1996 to the present, Respondent has been addicted to or dependent on alcohol or habit-forming drugs. Respondent, despite being in a treatment program, has had several relapses.

40. On October 1, 2000, Respondent while on duty as a telephone triage nurse willfully or negligently acted in a manner inconsistent with the health or safety of persons, as more fully set forth in paragraphs 24 through 28 above.

41. Respondent's conduct is in violation of § 12-38-117(1)(c), C.R.S. (1995 and 2000), more fully set forth above.

COUNT IV

(Substandard Care)

42. Paragraphs 1 through 41 are incorporated herein by reference as if fully set forth.

43. From at least August 1996 to the present, Respondent has been addicted to or dependent on alcohol or habit-forming drugs. During this time, Respondent, despite being in a treatment program, has had several relapses.

44. On October 1, 2000, Respondent, while on duty as a telephone triage nurse, negligently or willfully practiced nursing in a manner which fails to meet generally accepted standards for such nursing practice, as more fully set forth in paragraphs 24 through 28 above.

45. Respondent's conduct is in violation of § 12-38-117(1)(f), C.R.S. (1995 and 2000), more fully set forth above.

COUNT V

(Physical and/or Mental Disability)

46. Paragraphs 1 through 45 are incorporated herein by reference as if fully set forth.

47. From at least August 1996 to the present, Respondent has had several relapses involving drug and/or alcohol use. Respondent is addicted to or dependent on alcohol or habit-forming drugs which renders her unable to practice nursing with reasonable skill and safety to the patients and which may endanger the health or safety of persons under her care as more fully set forth above.


48. Respondent's conduct is in violation of § 12-38-117(1)(j), C.R.S. (1995 and 2000), more fully set forth above.

WHEREFORE the Board prays for an Order revoking, suspending, or otherwise appropriately disciplining respondent's license to practice professional nursing, and for such other relief as deemed proper and just.

DATED this 18 day of October, 2000.

Respectfully submitted,

KEN SALAZAR
Attorney General



BARBARA EZYK, 26031*
Assistant Attorney General
Business and Licensing Section

Attorneys for Colorado State Board of Nursing

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*Counsel of Record

BEFORE THE STATE BOARD OF NURSING
STATE OF COLORADO



I do hereby certify the
foregoing to be a true copy
of the document which
is on file or is of record
in my office

Authorized Signature

5/8/12

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE
TO PRACTICE PROFESSIONAL NURSING IN THE STATE OF COLORADO OF TINA M.
PARSONS, R.N. LICENSE NO. 88682

IT IS HEREBY STIPULATED by and between the Colorado State Board of Nursing (the
"Board") and Tina M. Parsons, R.N. ("respondent") as follows:

1. The Board has jurisdiction over the person of respondent and the subject matter of this Stipulation and Final Agency Order.
2. Respondent has been licensed to practice professional nursing in the State of Colorado at all relevant times herein and is now so licensed.
3. Respondent admits as follows:
 - a. Effective July 31, 1998, respondent and the Board entered into a Stipulation and Order ("July Order") placing respondent's license on probation for a period of five years. The terms of probation in the July Order included, but were not limited to, the following:
 - 1) The timely submission of nursing supervisor, treating monitor, and urine screen reports;
 - 2) The abstention from the use of all alcohol, controlled substances, habit-forming drugs, or any drugs with the same or similar effects that were not currently prescribed for respondent by an authorized health care practitioner.
 - b. Respondent failed to meet the terms of the July Order in the following instances:

1) As of June 15, 1999, respondent had not submitted treating monitor reports due January 31, 1999, and April 30, 1999, and did not submit other reports in a timely manner, as required by the Board;

2) As of December 10, 1998, respondent did not submit the random urine drug screen report due October 31, 1998, as required by the Board;

3) On or about October 22, 1998, respondent tested positive for cocaine;

4) On or about November 11, 1998, respondent again tested positive for cocaine (the second positive test in three weeks);

5) On or about April 15, 1999, respondent tested positive for THC.

c. Effective August 20, 1999, respondent and the Board entered into an Amended Stipulation and Final Agency Order ("August Order").

d. In the August Order, respondent admitted that she had failed to meet the terms of the July Order in the instances set forth in subparagraph b above. Respondent further admitted violation of §12-38-117(1)(c), (e), (g), (i) and (j), C.R.S.

e. The August Order suspended respondent's license for a minimum of three months, with specific terms of reinstatement. These terms included a psychiatric evaluation and, for the three months prior to respondent's request for reinstatement, weekly random drug-free urine screens, favorable treating monitor reports, and proof of attendance at weekly Board-approved twelve-step program meetings. Pursuant to paragraphs 5 and 7c of the August Order, respondent's license would be placed on a five year drug/alcohol probation if the requirements for reinstatement were met.

f. At the December 17, 1999 meeting of Inquiry Panel B of the Board, respondent's request for reinstatement was reviewed. The Board determined that respondent had met the terms of reinstatement.

4. By virtue of the facts admitted in paragraph 3 above, respondent admits, and the Board hereby finds, that respondent violated § 12-38-117(1)(c), (e), (g), (i) and (j), C.R.S. (1995, 1999).

5. The statutory authority of the Board is as follows:

12-38-117. Grounds for discipline. (1) "Grounds for discipline", as used in this article means any action by any person who:

(c) Has willfully or negligently acted in a manner inconsistent with the health or safety of persons under his care;

(e) Has violated any provision of this article or has aided or knowingly permitted any person to violate any provision of this article;

(g) Has negligently or willfully violated any order, rule, or regulation of the board pertaining to nursing practice or licensure;

(i) Is addicted to or dependent on alcohol or habit-forming drugs, is a habitual user of controlled substances, as defined in section 12-22-303(7), or other drugs having similar effects, or is diverting controlled substances, as defined in section 12-22-303(7), or other drugs having similar effects from the licensee's place of employment; except that the board has the discretion not to discipline the licensee if such licensee is participating in good faith in a program approved by the board designed to end such addiction or dependency;

(j) Has a physical or mental disability which renders him unable to practice nursing with reasonable skill and safety to the patients and which may endanger the health or safety of persons under his care;

6. Respondent shall hereby be placed on probation for a period of 5 years, commencing from the effective date of this Stipulation and Final Agency Order. Credit towards the period of probation will be given only for the periods of time during which respondent is in compliance with all terms of this Stipulation and Final Agency Order. At any time respondent is employed in a capacity for which a nursing license is required by statute, respondent agrees to comply with all terms of probation. It is acknowledged by respondent that the respondent's professional nursing license is restricted by the terms of this probation.

Terms of the probation shall be as follows:

a. The probation period shall be served only while respondent is employed at least an average of 32 hours, and no more than 80 hours, every 2 weeks, not less than 16 hours per week and not done in more than 12 hour shifts, in any capacity for which a professional nursing license is required by statute, and subject to adequate supervision approved by the Board. Respondent shall not have more than one employer; respondent shall not work for a temporary pool agency; and respondent shall not work in home health care. Supervision at the place of employment must be provided by a licensed nurse who has an unrestricted license in all states of

licensure. Respondent is required to notify the Board, in writing, within 72 hours after the commencement or termination of any such nursing employment.

b. Within one month of the effective date of this Stipulation and Final Agency Order, or within one month of obtaining such nursing employment (whichever later occurs), respondent shall provide a written plan of nursing supervision for the Board's review and approval. Respondent shall ensure that the nursing plan of supervision is submitted with the first nursing supervisor report due, as set forth in paragraph 6c below. Failure to provide such a plan may be deemed a violation of this Stipulation and Final Agency Order, and the Board may proceed pursuant to paragraph 8, below.

c. Within two weeks of the effective date of this Stipulation and Final Agency Order, or upon obtaining such nursing employment (whichever later occurs), respondent shall provide a copy of this Stipulation and Final Agency Order to the immediate nursing supervisor at the place of employment. Within one month after beginning such nursing employment, the immediate nursing supervisor shall submit a report directly to the Board, in writing, setting forth:

- 1) the name and address of the employer of respondent;
- 2) the duties and responsibilities to be carried out by respondent, as set forth in the job description submitted to the Board;
- 3) a discussion of the quality of nursing care being provided by respondent to patients, including a discussion of the handling of narcotics and other drugs by respondent;
- 4) any evidence of alcohol, drug, or other substance abuse;
- 5) a discussion of respondent's attendance record;
- 6) acknowledgment from the immediate nursing supervisor that a copy of this Stipulation and Final Agency Order was received and that the role of the nursing supervisor is understood by that supervisor.

d. Additional written reports containing the same information as is set out above in subparagraphs c(1-6) shall be submitted directly to the Board from the immediate nursing supervisor of respondent on a quarterly basis, throughout the term of probation, beginning 3 months subsequent to the commencement of the probation, and in accordance with a schedule to be established by the Board. Any nursing supervisor who aids or knowingly permits respondent to violate this Order may be sanctioned pursuant to § 12-38-117(1)(e), C.R.S. (1999).

e. At the expense of respondent, respondent shall be treated on a regular and professional basis by a licensed physician, psychologist, or other qualified licensed professional ("treating monitor") who is approved by the Board. Respondent agrees to comply with the treatment program established by the treating monitor. Respondent is required to provide the treating monitor with a copy of this Stipulation and Final Agency Order. The treating monitor must agree, in writing, to submit written reports to the Board according to the following schedules, setting forth the following information:

1) The initial report shall be submitted directly to the Board within one month after obtaining nursing employment or the effective date of this Stipulation and Final Agency Order (whichever later occurs). Subsequent reports shall be submitted quarterly throughout the term of probation, in accordance with a schedule to be established by the Board.

2) All reports shall set forth the following:

a) number and frequency of visits by respondent with the treating monitor;

b) the progress and mental condition of respondent;

c) a statement that the respondent is able to practice nursing with reasonable skill and safety to patients, so long as this remains true, or a statement that respondent is unable to practice with reasonable skill and safety to patients, along with an explanation of the reasons for that view. If the treating monitor opines that the respondent is unable to practice nursing safely, the treating monitor agrees to notify the Board within 72 hours after formulating this opinion;

d) any evidence of alcohol, drug, or other substance abuse;

e) an acknowledgment that the treating monitor has received a copy of this Stipulation and Final Agency Order and that the role of the treating monitor is understood by that treating monitor;

f) any evidence that respondent is not in compliance with the terms and conditions of this Stipulation and Final Agency Order or treatment;

g) a statement whether respondent is attending Alcoholics Anonymous, Narcotics Anonymous, or other Board-approved twelve-step program ("A.A./N.A.") meetings. The treating monitor shall determine whether such attendance shall be part of respondent's treatment plan.

f. During the entire term of probation, respondent shall submit to unannounced, random urine screens, monitored, administered and under the direct observation of the treating monitor or of a trusted member of the staff of the treating monitor on a schedule as determined by the Board. Only the Board, in its discretion, may excuse an absence from submitting urine screens.

g. During the first year of probation, respondent shall submit random urine screen samples at least once a week, or as otherwise determined by the Board. Respondent may apply to the Board for a reduction in the urine screen frequency, after the first year of probation. It is in the Board's sole discretion whether to grant or deny such a request.

h. Each urine sample shall be split, and, if the first sample tests positive for controlled substances, alcohol, habit-forming substances, or any other drug with the same or similar effect, the second half is also to be tested. In the event of a positive test, the pertinent sample is to be frozen or otherwise preserved by the analyst. Any laboratory selected by respondent must be able to perform urine screens in compliance with Board policy. Unless the Board otherwise requires, the treating monitor shall report the results of said urine screens to the Board beginning 90 days after the commencement of this probation and quarterly thereafter, in accordance with a schedule to be established by the Board. In the event that any urine sample test is positive for alcohol, a controlled substance, habit-forming substance, or any other drug with the same or similar effects, that respondent used without a current prescription, the treating monitor shall report such finding, in writing, to the Board within 72 hours after the treating monitor obtains said result. Respondent shall furnish written proof of prescriptions.

i. Upon request of the immediate nursing supervisor, if reasonable cause exists, respondent agrees to submit to tests to determine the presence in respondent's blood or urine of any alcohol or controlled substances, as defined in § 12-22-303(7), C.R.S., not currently prescribed for respondent by an authorized health care practitioner. Within 72 hours after obtaining the results, the results (including negative results) of any such tests shall be reported, in writing, to the Board by the nursing supervisor, with accompanying documentation explaining the reason for requesting the tests. Refusal to submit to such tests on request, as described herein, may be deemed a violation of this probation and the Board may decide to proceed in accordance with paragraph 8 below.

j. Whether or not respondent is employed as a nurse, respondent shall abstain from the use of all alcohol, controlled substances, habit-forming drugs, or any drugs with the same or similar effects, that are not currently prescribed for respondent by an authorized health care practitioner. It is the obligation of respondent to inform all health care providers about respondent's problems with drugs or alcohol and obtain written acknowledgment of such disclosure from the practitioner to accompany all prescriptions.

k. It is the obligation of respondent to ensure that all the written reports of the nursing supervisor and treating monitor required pursuant to this paragraph 6 are submitted to the Board on time. The failure to submit the reports on time may be deemed a violation of this Stipulation and Final Agency Order by the Board and the Board may decide to proceed in accordance with paragraph 8, below.

l. In the event the Board determines that any report submitted pursuant to this paragraph 6 is not substantially favorable, respondent may be deemed to be in violation of this Stipulation and Final Agency Order, and the Board may proceed in accordance with paragraph 8, as set forth below.

m. Prior to the effective date of this Stipulation and Final Agency Order, respondent must sign a medical information and records release form for use by the Board, for the purpose of allowing the Board to obtain medical information and records of respondent during the time period this Stipulation and Final Agency Order is in effect. In the event that any provider requires an expanded or updated release, respondent shall execute such release immediately. Respondent further agrees that any revocation of the medical information and records release before completion of probation shall constitute a violation of this Stipulation and Final Agency Order, subject to discipline in accordance with paragraph 8 below. Respondent further waives any claim of confidentiality with regard to any treatment for drugs, alcohol, or any mental condition which renders respondent unsafe to practice with reasonable skill and safety for the duration of this probation.

n. During the period of probation, if respondent receives treatment not previously disclosed to the Board for any alcohol abuse, substance abuse, or related condition, respondent agrees to inform the Board of this treatment and to provide the Board with a medical information and records release to obtain medical information with respect to this treatment.

o. Respondent agrees to inform the Board of any acts committed by respondent which constitute violations of this Stipulation and Final Agency Order, including, but not limited to, any relapse or resumption of the use of alcohol, controlled substances, habit-forming substances, or any drugs with the same or similar effects that are not currently prescribed by an authorized health care practitioner, or any failure to comply with the treatment program.

p. In the event of relocation to another state, respondent shall notify the Board of the change of address within 30 days of such relocation, and hereby gives consent to the Board that it may notify the Board of Nursing, or the equivalent regulatory agency in any state to which respondent relocates of the existence, terms of, and compliance with this Stipulation and Final Agency Order.

q. Respondent shall comply with all the provisions of the Nurse Practice Act and the rules and regulations of the Board.

7. Respondent is aware of and understands the right to receive a formal notice of hearing and charges, and to have a formal disciplinary hearing, pursuant to § 12-38-116.5, C.R.S. (1999), and hereby waives those rights and requests that this Stipulation and Final Agency Order be accepted by the Board with the same force and effect as an Order entered as a result of a formal disciplinary proceeding. Respondent further waives the right to appeal the Order entered herein.

8. a. Respondent understands that if, during the pendency of this agreement, the Board has reasonable grounds to believe that respondent is abusing alcohol, controlled substances, habit-forming drugs, or other drugs with the same or similar effects, or is otherwise in violation of either this Stipulation and Final Agency Order, the Nurse Practice Act, or both, the Board may refer respondent to hearing.

b. In the event this matter is referred to hearing for a violation of this Stipulation and Final Agency Order, this Stipulation and Final Agency Order shall be admissible as evidence. In the event an alleged violation of this Stipulation and Final Agency Order is taken to hearing and the facts that constitute the violation are determined to be unproven, no disciplinary action shall be taken by the Board, and this Stipulation and Final Agency Order shall remain operative and in full force and effect. The pendency of any disciplinary action pursuant to this Stipulation and Final Agency Order shall not affect the obligation of respondent to comply with the terms of this Stipulation and Final Agency Order.

9. If, at the end of the probation period, the Board finds that respondent has adhered to all the terms of this Stipulation and Final Agency Order, then this proceeding shall be concluded.

10. This Stipulation and Final Agency Order is entered into by respondent voluntarily, after the opportunity to consult with counsel, and with full understanding of the legal consequences of this Stipulation and Final Agency Order.

11. In the event this Stipulation and Final Agency Order does not become an Order of the Board, it shall be void and respondent shall not be bound by any provisions hereof or admissions herein.

12. This Stipulation and Final Agency Order shall become an Order of the Board when accepted by the Board and signed by an authorized Board representative.

13. This Stipulation and Final Agency Order is a public record in the custody of the Board at all times.

RESPONDENT

COLORADO STATE BOARD OF NURSING

Tina M Parsons R.N.
TINA M. PARSONS, R.N.

By: Patricia J. Chris

1560 Broadway, Suite 670
Denver, Colorado 80202

Effective Date: This 27th day Jan
of January, 1999 2000

BEFORE THE STATE BOARD OF NURSING

STATE OF COLORADO



I do hereby certify the foregoing to be a true copy of the document which is on file or is of record in my office

Authorized Signature

Charlene K. Joyner
5/8/12

Proceeding No. RG NU DLKXM

AMENDED STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE TO PRACTICE PROFESSIONAL NURSING IN THE STATE OF COLORADO OF TINA MARIE PARSONS, R.N., LICENSE NO. 88682.

IT IS HEREBY STIPULATED by and between the Colorado State Board of Nursing (the "Board") and Tina Marie Parsons, R.N. ("Respondent") as follows:

1. The Board has jurisdiction over the person of Respondent and the subject matter of this Stipulation.
2. Respondent has been licensed to practice professional nursing in the State of Colorado at all relevant times herein, and is now so licensed.
3. Respondent admits as follows:
 - a. Respondent was licensed as a professional nurse on or about August 26, 1988.
 - b. On or about July 31, 1998 Respondent entered into a Stipulation with the Colorado State Board of Nursing.
 - (i) Respondent was placed on probation for five (5) years, commencing on July 31, 1998.
 - (ii) Respondent's term of probation only applied while Respondent was employed at least an average of 32 hours, and no more than 80 hours, every two weeks, not less than 16 hours per week, and not done in more than 12 hour shifts, in any capacity for which a professional nursing license is required by statute, and subject to adequate supervision approved by the Board.
 - (iii) Respondent could not have more than one employer, work for a temporary pool agency, or work in home health care.
 - (iv) Supervision of Respondent was required by a licensed nurse with an unrestricted license in all states of licensure.
 - (v) Respondent was required to inform the Board within 72 hours of the commencement or termination of any nursing employment.

(vi) Respondent was required to supply the Board with a written plan of nursing supervision for the Board's review and approval. The plan included restrictions on administration of medications.

(vii) Respondent was required to provide a copy of the Stipulation and Order to the immediate nursing supervisor at her place of employment. Within one month of Respondent's employment, the supervisor was required to submit a report directly to the Board. Such reports were to be submitted on a quarterly basis, throughout the term of probation, and in accordance with a schedule established by the Board.

(viii) Respondent was required to be treated on a regular basis by a licensed physician, psychologist, or other qualified licensed professional ("treating monitor") approved by the Board. Respondent was also required to comply with the treatment program established by the treating monitor. Respondent was required to provide the treating monitor with a copy of the Stipulation and Order. The Board required that the treating monitor submit written reports to the Board.

(ix) During the entire term of probation, Respondent was required to submit to unannounced, random urine screens, monitored, administered and under the direct observation of the treating monitor or trusted member of the staff of the treating monitor. Only the Board could excuse an absence from submitting to drug screens. For the first year of probation, the Board required urine screens at least once a week. In the event of a positive urine screen, the treating monitor was required to report such to the Board within 72 hours after the treating monitor obtained such result.

(x) The Board required Respondent to submit to urine screens or blood tests to determine the presence of alcohol or controlled substances, if such tests were requested by Respondent's immediate supervisor.

(xi) The Board required Respondent to abstain from the use of all alcohol, controlled substances, habit-forming drugs, or any drugs with the same or similar effects, not prescribed for Respondent by an authorized health care practitioner.

(xii) It was Respondent's responsibility to ensure that all written reports by each nursing supervisor and treating monitor were turned in to the Board on time.

(xiii) Respondent was required to sign a medical information and records release form for use by the Board.

(xiv) If Respondent received treatment not previously disclosed for alcohol abuse, substance abuse, or related conditions, Respondent agreed to inform the Board of such treatment and to provide a medical information and records release with respect to such treatment.

(xv) Respondent agreed to inform the Board of any acts committed by Respondent that constituted violations of the Stipulation, including, but not limited to, any relapse or resumption of the use of alcohol, controlled substances, habit-forming substances, or any drugs with

the same or similar effects not currently prescribed, or any failure to comply with the treatment program.

(xvi) In the event of relocation to another state, Respondent was required to notify the board of a change of address within 30 days of relocation. Respondent gave consent for the Board to notify the Board of Nursing or equivalent state agency in the new state of the existence, terms of and compliance with the Stipulation and Order.

(xvii) Respondent was required to comply with the Nurse Practice Act as well as the rules and regulations of the Board.

(xviii) Respondent was required to attend any meeting with the Board upon the Board's request.

c. Respondent has failed to meet the terms of her Stipulation and Order.

(i) As of June 15, 1999, Respondent had not submitted treatment monitor reports due January 31, 1999 and April 30, 1999 and did not submit other reports in a timely manner, as required by the Board.

(ii) As of December 10, 1998, Respondent did not submit the Random Urine Drug Screen Report due October 31, 1998, as required by the Board.

(iii) On or about October 22, 1998, Respondent tested positive for cocaine.

(iv) On or about November 11, 1998, Respondent again tested positive for cocaine. This was the second positive test in three weeks.

(v) On or about April 16, 1999, Respondent tested positive for THC.

4. By virtue of the facts admitted in paragraph 3 above, Respondent admits, and the Board hereby finds, that Respondent violated § 12-38-117(1)(c), (e), (g), (i) and (j), C.R.S. (1998).

5. By virtue of the admissions in paragraph 3 and 4 above, Respondent agrees to a term of suspension, and such formal monitoring, upon reinstatement by the Board, to the extent that the Board believes such monitoring is necessary to protect the public health, safety and welfare.

6. The statutory authority of the Board is as follows:

12-38-117. Grounds for discipline. (1)

(c) Has willfully or negligently acted in a manner inconsistent with the health or safety of persons under his care;

(e) Has violated any provision of this article;

(g) Has negligently or willfully violated any order, rule, or regulation of the board pertaining to nursing practice or licensure;

(i) Is addicted to or dependent on alcohol or habit-forming drugs, is a habitual user of controlled substances, as defined in section 12-22-303 (7), or other drugs having similar effects, or is diverting controlled substances, as defined in section 12-22-303 (7), or other drugs having similar effects from the licensee's place of employment; except that the board has the discretion not to discipline the licensee if such licensee is participating in good faith in a program approved by the board designed to end such addiction or dependency;

(j) Has a physical or mental disability which renders him unable to practice nursing with reasonable skill and safety to the patients and which may endanger the health or safety of persons under his care;

7. a. Respondent's professional nursing license shall be suspended for a period of at least three months commencing from the effective date of this Amended Stipulation and Order. Respondent must request reinstatement in writing, and meet the following terms and conditions, prior to reinstatement:

b. Respondent must, at Respondent's own cost, undergo a psychiatric evaluation, performed by a Board-approved, qualified, licensed practitioner who shall render a written opinion as to Respondent's ability to practice nursing with reasonable skill and safety prior to reinstatement of Respondent's license. Respondent shall obtain Board approval of the practitioner prior to undergoing any evaluation. Only if the practitioner opines that Respondent is able to practice nursing with reasonable skill and safety shall Respondent's license be reinstated.

c. Prior to and upon written application to the Board for reinstatement, Respondent must show weekly, random drug-free urine screening, personally monitored and administered by Respondent's Board-approved treating monitor, for the previous three months prior to reinstatement; must submit favorable treating monitor reports for the previous three months prior to reinstatement; and must submit proof of attendance at weekly Narcotics Anonymous, Alcoholics Anonymous, Rational Recovery, or other Board-approved twelve-step program meetings for the previous three months prior to reinstatement. Respondent shall contact the Board in writing to determine the policies for reinstatement at the time Respondent decides to begin the three months compliance period. Upon reinstatement by the Board, Respondent shall submit a reinstatement application and fee, if applicable. Upon reinstatement, Respondent shall be on drug/alcohol probation for a period of five years.

d. Respondent shall provide proof of successful treatment for the preceding three months immediately prior to reinstatement. Respondent shall provide the written credentials of the treatment monitor to the Board for approval prior to engaging in treatment

8. a. In addition to the suspension described in paragraph 7, Respondent agrees to have her professional nursing license subject to an additional three month suspension, to be held in abeyance pending successful completion of the terms of this Amended Stipulation and Order.
- b. In the event that the Board of Nursing staff determines that Respondent is in substantial violation of a term of this Amended Stipulation and Order, the Board of Nursing staff shall notify Respondent as set forth in § 12-38-116.5 C.R.S. (1999). The notice shall include a statement of which terms of the Amended Stipulation and Order the Respondent has violated and the date of the Board of Nursing meeting at which the case will be considered.
- c. At its regularly scheduled meeting (see 8b), the Board of Nursing shall consider if the charges rise to or exceed the level of substantial violation of a term of this Amended Stipulation and Order. The Board of Nursing shall determine if the complaint shall be dismissed, or Respondent's license is to be submitted for a three month suspension, or if the Board considers the violations to warrant additional sanctions subject to § 12-38-116.5 C.R.S. (1999).
- d. If Respondent fails to submit a response to the 30 day notice, the complaint shall be deemed admitted. Respondent agrees that upon a finding by the Board of Nursing of a substantial violation of a term of this Amended Stipulation and Order, Respondent's license shall be automatically suspended for three months. Nothing precludes the Board of Nursing from imposing further discipline as provided by the Nurse Practice Act.
- e. Terms of the suspension are set forth in paragraph 7.
- f. Within 30 days of the mailing of notice of the Board of Nursing's decision to suspend Respondent's nursing license, Respondent may request a hearing as provided in § 12-38-116.5(4)(a), C.R.S. (1999) and the action of the Board after such a hearing shall be subject to judicial review as provided for in § 12-38-116.5(4)(b), C.R.S. (1999). At the hearing provided for in § 12-38-116.5(4)(a), C.R.S. (1999) the Respondent agrees to be deemed the proponent of the order and shall have the burden of proof as set forth in § 24-4-105(7), C.R.S. to show that there has been no violation of a term of the Amended Stipulation and Order as was specified in the notice. The parties agree that this procedure shall satisfy all entitlements Respondent may have to due process of law.
- g. If, after hearing provided for by § 12-38-116.5(1)(e), C.R.S. (1999), Respondent has met the burden of proof that no violation has occurred, the charge shall be voided and this Amended Stipulation and Order shall continue in full force and effect. The Respondent shall continue to comply with the conditions of the Amended Stipulation

and Order throughout the pendency of any hearing or judicial review, conduct pursuant to paragraph 7 of this order.

9. Prior to the effective date of this Amended Stipulation and Order, Respondent must sign a medical information and records release form for use by the Board for the purpose of allowing the Board to obtain medical information and records of Respondent during the time period this Stipulation is in effect. In the event that any provider requires an expanded or updated release, respondent shall execute such release immediately. Respondent further agrees that any revocation of the medical information and records release before completion of the term shall constitute a violation of this Stipulation, subject to discipline in accordance with paragraph 13, below. Respondent further waives any claim of confidentiality with regard to any treatment for any physical or mental condition which renders Respondent unsafe to practice with reasonable skill and safety for the duration of this Amended Stipulation and Order.

10. Respondent agrees to inform the Board of any acts committed by Respondent which constitute violations of this Stipulation, including, but not limited to, any failure to comply with the treatment program.

11. In the event of relocation to another state, Respondent shall notify the Board of the change of address within 30 days of such relocation, and hereby gives consent to the Board that it may notify the Board of Nursing, or the equivalent regulatory agency in a state to which Respondent relocates, of the existence, terms of, and compliance with this Amended Stipulation and Order.

12. Respondent shall comply with all the provisions of the Nurse Practice Act and the rules and regulations of the Board.

13. Respondent is aware of and understands the right to receive formal notice of hearing and charges and to have a formal disciplinary hearing, pursuant to § 12-205.5, C.R.S. (1999), and hereby waives those rights and requests that this Amended Stipulation and Order be accepted by the Board with the same force and effect as an order entered as a result of a formal disciplinary proceeding. Respondent further waives the right to appeal the Order entered herein.

14. a. Respondent understands that if, during the pendency of this agreement, the Board has reasonable grounds to believe that Respondent is in violation of this Amended Stipulation and Order, the Nurse Practice Act, or both, the Board may refer Respondent to hearing.

b. In the event this matter is referred to hearing for violation of this Amended Stipulation and Order, this Amended Stipulation and Order shall be admissible as evidence. In the event an alleged violation of this Amended Stipulation and Order is taken to hearing and the facts that constitute the violation are determined to be unproven, no disciplinary action shall be taken by the Board, and this Amended Stipulation and Order shall remain operative and in full force and effect. The pendency of any disciplinary action pursuant to this Amended Stipulation and Order shall not affect the obligation of Respondent to comply with the terms of this Amended Stipulation and Order.

15. If, at the end of Respondent's contract with the Commission, the Board finds that Respondent adhered to all the terms of this Amended Stipulation and Order, then this proceeding shall be concluded. Respondent will provide proof, in writing, to the Board of successful completion of the contract.

16. This Amended Stipulation and Order is entered into by Respondent voluntarily and without coercion, after the opportunity to consult with counsel, and with full understanding of the legal consequences of this Amended Stipulation and Order.

17. In the event this Amended Stipulation and Order does not become an order of the Board, it shall be void, and Respondent shall not be bound by any provisions hereof or admissions herein.

18. This Amended Stipulation and Order shall become an order of the Board when accepted by the Board and signed by an authorized Board representative.

RESPONDENT

Tina Marie Parsons R.N.
TINA MARIE PARSONS, R.N.

COLORADO STATE BOARD OF NURSING

By: Patricia J. Chris
1560 Broadway, Suite 1000
Denver, Colorado 80202

Effective Date: August 29, 1999

APPROVED AS TO FORM:

FOR THE ATTORNEY GENERAL

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BEFORE THE STATE BOARD OF NURSING

STATE OF COLORADO

Proceeding No. RG NU DLJPQ



I do hereby certify the foregoing to be a true copy of the document which is on file or is of record in my office

Authorized Signature

STIPULATION AND ORDER

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE TO PRACTICE PROFESSIONAL NURSING IN THE STATE OF COLORADO OF TINA PARSONS, R.N., LICENSE NO. 88682.

IT IS HEREBY STIPULATED by and between the Colorado State Board of Nursing ("the Board") and Tina Parsons, R.N. ("Respondent"), as follows:

1. The Board has jurisdiction over the person of Respondent and the subject matter of this Stipulation.

2. Respondent was licensed to practice professional nursing in the State of Colorado at all relevant times herein, and is now so licensed.

3. Respondent admits as follows:

a. From at least April 1996 to January, 1997, respondent was employed as a R.N. at Lutheran Medical Center ("LMC") in Wheat Ridge, Colorado. Respondent worked on the Post Anesthesia Care Unit ("PACU").

b. For approximately three weeks in the middle of 1996 respondent used Demerol outside of the work environment without her physician's consent.

c. Respondent was suspended from work and subsequently negotiated a professional Monitoring Agreement with LMC, signed by respondent on October 23, 1996, which allowed Respondent to return to work in the PACU. Respondent's access to narcotics was restricted as follows:

(1) Respondent would not have any possession of, or access to, narcotics or other controlled substances via the narcotic keys or a Pyxis code for six months (until March or April 1997).

(2) Respondent would administer only non-mind altering medications for six months (until March or April 1997).

(3) After the first six months had passed, respondent would be supervised in her administration of controlled substances for the following six months in accordance with the Buddy System policy of IPDP.

Other conditions were placed on respondent's practice related to her substance abuse problem, including her successful involvement with the Impaired Professional Diversion Program (IPDP).

d. Respondent worked the night shift of December 18-19, 1996. According to a Pyxis printout, R.N. Allen signed out 100 mg of Demerol for patient AP. R.N. Allen was not working at the time the Demerol was signed out. Respondent used a code belonging to R.N. Allen to sign out 100 mg Demerol for patient AP. Further, patient AP was not in the PACU at the time the Demerol was signed out to him. Respondent has admitted to accessing R.N. Allen's password to sign out narcotics.

e. The Pyxis printout shows R.N. Allen "wasted" the entire 100 mg of Demerol signed out for AP at 2346 hours. Respondent allegedly witnessed R.N. Allen wasting the Demerol.

f. On December 18, 1996, the Pyxis printout shows R.N. Allen signed out 100 mg Demerol at 2346 hours for patient NP. R.N. Allen was not working at the time of the sign out. Respondent was the primary nurse for NP during his stay at PACU. According to the nurses notes, respondent administered 20 mg Demerol to NP at 2350 and 20 mg of Demerol at 2355, for complaints of pain.

g. On December 19, 1996, at 0114 hours, the Pyxis printout indicates R.N. Allen signed out 75 mg Demerol for patient LS. R.N. Allen was not working at this time. Respondent accessed R.N. Allen's code to obtain the narcotics. The record

indicates 40 mg Demerol was administered to LS. R.N. Costain wasted the rest of the Demerol, with respondent witnessing. Costain was the primary nurse for LS.

h. On December 19, 1996, at 0115 hours, the Pyxis printout indicates R.N. Allen signed out 300 mg Demerol for use in a PCA machine for patient LS. The chart for LS indicates the PCA pump was not set up nor used in the PACU.

i. On December 18, 1996, patient CB arrived in the PACU at 2206 hours following repair of a ruptured bladder. Respondent was the primary nurse for CB. Respondent documented administering Demerol to CB at 2206, 2210, 2215, 2225, and 2230 hours. However, at 2230 hours, respondent wrote in her nurses notes regarding CB, "No change, sleeps when undisturbed."

j. The Pyxis record shows R.N. Allen, who was not working at this time, signed out 30 mg morphine at 2252 hours on December 18, 1996, to be used in a PCA machine for patient CB. There is nothing in the PACU records to indicate a PCA pump was set up for CB.

k. Respondent was terminated from her employment at LMC due to the Pyxis discrepancy.

l. Respondent then obtained a nursing position at Boulder Community Hospital. Respondent was fired after two months for having the PCA keys in her hand during a change of shift, a violation of her IPDP contract.

m. According to the terms of respondent's IPDP contract, Respondent was to have her urine tested twice per week. There were only two reports of urine testing between September 6, 1996 and January 29, 1997. Respondent's conduct was in violation of her IPDP contract.

n. Sometime in July, 1997, Respondent relapsed after the death of her husband's grandfather, and ingested Vicodin and Xanax. Respondent reported the relapse to IPDP.

4. By virtue of the facts admitted in paragraph 3 above, Respondent admits, and the Board hereby finds, that Respondent violated § 12-38-117(1)(c), (f), (h), and (i), C.R.S. (1995).

5. By virtue of the admissions in paragraphs 3 and 4 above, Respondent agrees to a term of probation and such formal monitoring, upon reinstatement by the Board, to the extent that the Board believes such monitoring is necessary to protect the public health, safety, and welfare.

6. The statutory authority of the Board is as follows:

12-38-117. Grounds for discipline. (1) The board has the power to revoke, suspend, withhold, limit the scope of, or refuse to renew any license, to place on probation a licensee or temporary license holder, or to issue a letter of admonition to a licensee in accordance with the procedures set forth in subsection (3) of this section, upon proof that such person:

.
(c) Has willfully or negligently acted in a manner inconsistent with the health or safety of persons under his care;

(f) Has negligently or willfully practiced nursing in a manner which fails to meet generally accepted standards for such nursing practice;

(h) Has falsified or in a negligent manner made incorrect entries or failed to make essential entries on patient records;

(i) Is addicted to or dependent on alcohol or habit-forming drugs, is a habitual user of controlled substances, as defined in section 12-22-303 (7), or other drugs having similar effects, or is diverting controlled substan-

ces, as defined in section 12-22-303 (7), or other drugs having similar effects from the licensee's place of employment; except that the board has the discretion not to discipline the licensee if such licensee is participating in good faith in a program approved by the board designed to end such addiction or dependency;

7. Respondent shall hereby be placed on probation for a period of five (5) years, commencing from the effective date of this Stipulation and Order. Credit towards the period of probation will be given only for the periods of time during which Respondent is in compliance with all terms of this Stipulation. At any time Respondent is employed in a capacity for which a professional nursing license is required by statute, Respondent agrees to comply with all terms of probation. It is acknowledged by Respondent that Respondent's professional nursing license is restricted by the terms of this probation.

Terms of the probation shall be as follows:

a. The probation period shall be served only while Respondent is employed at least an average of 32 hours, and no more than 80 hours, every two weeks, not less than 16 hours per week, and not done in more than 12 hour shifts, in any capacity for which a professional nursing license is required by statute, and subject to adequate supervision approved by the Board. Respondent shall not have more than one employer; Respondent shall not work for a temporary pool agency; and Respondent shall not work in home health care. Supervision at the place of employment must be provided by a licensed nurse who has an unrestricted license in all states of licensure. Respondent is required to notify the Board, in writing, within 72 hours after the commencement or termination of any such nursing employment.

b. Upon the effective date of this Stipulation, or upon obtaining such nursing employment (whichever later occurs), Respondent shall provide a written plan of nursing supervision for the Board's review and approval. Such plan shall include

restrictions on administration of medications as determined by the Board of Nursing. Failure to provide such a plan may be deemed a violation of this Stipulation and Order, and the Board may proceed pursuant to paragraph 9, below.

c. Upon the effective date of this Stipulation, or upon obtaining such nursing employment, whichever later occurs, Respondent shall provide a copy of this Stipulation and Order to the immediate nursing supervisor at the place of employment. Within one month after beginning such nursing employment, the immediate nursing supervisor shall submit a report directly to the Board, in writing, setting forth:

- (1) the name and address of the employer of Respondent;
- (2) the duties and responsibilities to be carried out by Respondent;
- (3) a discussion of the quality of nursing care being provided by Respondent to patients, including a discussion of the handling of narcotics and other drugs by Respondent;
- (4) any evidence of alcohol, drug or other substance abuse;
- (5) a discussion of Respondent's attendance record;
- (6) acknowledgments from the immediate nursing supervisor that this Stipulation and Order was read and that the role of nursing supervisor is understood by that supervisor.

d. Additional written reports containing the same information as is set out above in subparagraphs c(1)-(6) shall be submitted directly to the Board from the immediate nursing supervisor of Respondent on a quarterly basis, throughout the term of probation, and in accordance with a schedule to be established by the Board. Any nursing supervisor who aids or knowingly permits Respondent to violate this Order may be sanctioned, pursuant to § 12-38-117(1)(e), C.R.S. (1997).

e. At the expense of Respondent, Respondent shall be treated on a regular and professional basis by a licensed physician, psychologist, or other qualified licensed professional ("treating monitor") who is approved by the Board. Respondent agrees to comply with the treatment program established by the treating monitor. Respondent is required to provide the treating monitor with a copy of this Stipulation and Order. The treating monitor must agree, in writing, to submit written reports to the Board according to the following schedules, setting forth the following information:

(1) The initial report shall be submitted directly to the Board within one month after obtaining nursing employment or the effective date of this Stipulation and Order (whichever later occurs). Subsequent reports shall be submitted quarterly, throughout the term of probation, in accordance with a schedule to be established by the Board.

(2) All reports shall set forth the following:

i. number and frequency of visits by Respondent with the treating monitor;

ii. the progress and mental condition of Respondent;

iii. a statement that Respondent is able to practice nursing with reasonable skill and safety to patients, so long as this remains true, or a statement that Respondent is unable to practice with reasonable skill and safety to patients, along with an explanation of the reasons for that view. If the treating monitor opines that Respondent is unable to practice nursing safely, the treating monitor agrees to notify the Board within 72 hours after formulating this opinion;

iv. any evidence of alcohol, drug or other substance abuse;

v. an acknowledgment that the treating monitor has read and understands this Stipulation and Order and the role of the treating monitor pursuant to this Stipulation and Order;

vi. any evidence that Respondent is not in compliance with the terms and conditions of this Stipulation and Order or treatment.

vii. a statement whether Respondent is attending Alcoholics Anonymous, Narcotics Anonymous, or other Board-approved, twelve-step program ("A.A./N.A.") meetings. The treating monitor shall determine whether such attendance shall be part of Respondent's treatment plan.

f. During the entire term of probation, Respondent shall submit to unannounced, random urine screens, monitored, administered and under the direct observation of the treating monitor or of a trusted member of the staff of the treating monitor on a schedule as determined by the Board. Only the Board, in its discretion, may excuse an absence from submitting urine screens.

During the first year of probation, Respondent shall submit random urine screen samples at least once a week, or as otherwise determined by the Board. Respondent may apply to the Board for a reduction in the urine screen frequency, after the first year of probation. It is in the Board's sole discretion whether to grant or deny such a request.

Each urine sample shall be split, and, if the first sample tests positive for controlled substances, alcohol, habit-forming substances, or any other drug with the same or similar effect, the second half is also to be tested. In the event of a positive test, the pertinent sample is to be frozen or otherwise preserved by the analyst. Any laboratory selected by Respondent must be able to perform urine screens in compliance with Board policy. Unless the Board otherwise requires, the treating monitor shall report the results of said urine screens to the Board beginning 90 days after the commencement of this probation and quarterly thereafter, in accordance with a schedule to be established by the Board. In the event that any urine sample test is positive for alcohol, a controlled substance, habit-forming substance, or any other drug with the same or similar effects, that Respondent used without a current prescription, the treating monitor shall report such finding, in writing, to the

Board within 72 hours after the treating monitor obtains said result. Respondent shall furnish written proof of prescriptions.

g. Upon request of the immediate nursing supervisor, if reasonable cause exists, Respondent agrees to submit to tests to determine the presence in Respondent's blood or urine of any alcohol or controlled substances, as defined in § 12-22-303(7), C.R.S., not currently prescribed for Respondent by an authorized health care practitioner. Within 72 hours after obtaining the results, the results (including negative results) of any such tests shall be reported, in writing, to the Board by the nursing supervisor, with accompanying documentation explaining the reason for requesting the tests. Refusal to submit to such tests on request, as described herein, shall be deemed a violation of this probation.

h. Whether or not Respondent is employed as a nurse, Respondent shall abstain from the use of all alcohol, controlled substances, habit-forming drugs, or any drugs with the same or similar effects, that are not currently prescribed for Respondent by an authorized health care practitioner. It is the obligation of Respondent to inform all health care providers about Respondent's problems with drugs or alcohol and obtain written acknowledgment of such disclosure from the practitioner to accompany all prescriptions.

i. It is the obligation of Respondent to ensure that all the written reports of each nursing supervisor and treating monitor required pursuant to this paragraph 7 are submitted to the Board on time. The failure to submit the reports on time may be deemed a violation of this Stipulation and Order by the Board and the Board may decide to proceed in accordance with paragraph 9, below.

j. In the event the Board determines that any report submitted pursuant to this paragraph 7 is not substantially favorable, Respondent may be deemed to be in violation of this Stipulation, and the Board may proceed in accordance with paragraph 9, as set forth below.

k. Prior to the effective date of this Stipulation and Order, Respondent must sign a medical information and records

release form for use by the Board, for the purpose of allowing the Board to obtain medical information and records of Respondent during the term of probation. Respondent further agrees that any revocation of the medical information and records release before completion of probation shall constitute a violation of this Stipulation, subject to discipline, in accordance with paragraph 9, below. Respondent further waives any claim of confidentiality with regard to any treatment for drugs, alcohol, or any mental condition which renders Respondent unsafe to practice with reasonable skill and safety for the duration of this probation.

l. During the period of probation, if Respondent receives treatment not previously disclosed to the Board for any alcohol abuse, substance abuse, or related condition, Respondent agrees to inform the Board of this treatment, and to provide the Board with a medical information and records release to obtain medical information with respect to this treatment.

m. Respondent agrees to inform the Board of any acts committed by Respondent which constitute violations of this Stipulation, including, but not limited to, any relapse or resumption of the use of alcohol, controlled substances, habit-forming substances, or any drugs with the same or similar effects that are not currently prescribed by an authorized health care practitioner, or any failure to comply with the treatment program.

n. In the event of relocation to another state, Respondent shall notify the Board of the change of address within 30 days of such relocation, and hereby gives consent to the Board that it may notify the Board of Nursing, or the equivalent regulatory agency in any state to which Respondent relocates, of the existence, terms of, and compliance with this Stipulation and Order.

o. Respondent shall comply with all the provisions of the Nurse Practice Act and the rules and regulations of the Board.

p. Throughout the period of probation, Respondent shall attend any meeting with the Board, upon the Board's

request, and upon 30 days notice, if Respondent resides in Colorado, and 60 days notice, if Respondent resides out of state.

8. Respondent is aware of and understands the right to receive a formal notice of hearing and charges, and to have a formal disciplinary hearing pursuant to § 12-38-120, C.R.S. (1995), and hereby waives those rights and requests that this Stipulation and Order be accepted by the Board with the same force and effect as an order entered as a result of a formal disciplinary proceeding. Respondent further waives the right to appeal the Order entered herein.

9. a. Respondent understands that if, during the pendency of this agreement, the Board has reasonable grounds to believe that Respondent is abusing alcohol, controlled substances, habit-forming drugs, or other drugs with the same or similar effects, or is otherwise in violation of this Stipulation and Order, the Nurse Practice Act, or both, the Board may refer Respondent to hearing.

b. In the event this matter is referred to hearing for violation of this Stipulation, this Stipulation and Order shall be admissible as evidence. In the event an alleged violation of this Stipulation and Order is taken to hearing and the facts that constitute the violation are determined to be unproven, no disciplinary action shall be taken by the Board, and this Stipulation and Order shall remain operative and in full force and effect. The pendency of any disciplinary action pursuant to this Stipulation and Order shall not affect the obligation of Respondent to comply with the terms of this Stipulation and Order.

10. If, at the end of the probation period, the Board finds that Respondent has adhered to all the terms of this Stipulation and Order, then this proceeding shall be concluded. This Stipulation and Order is a public record in the custody of the Board at all times.

11. This Stipulation and Order is entered into by Respondent voluntarily and without coercion, after the opportunity to consult with counsel, and with full understanding of the legal consequences of this Stipulation and Order.

12. In the event this Stipulation and Order does not become an order of the Board, it shall be void, and Respondent shall not be bound by any provisions hereof or admissions herein.

13. This Stipulation and Order shall become an Order of the Board when accepted by the Board and signed by an authorized Board representative.

14. After one year from the effective date of successful completion of the terms herein, Respondent may petition the Board to grant early release from probation.

RESPONDENT

COLORADO STATE BOARD OF NURSING

Tina Parsons en
TINA PARSONS, R.N.

By:

Karen Brunley
1560 Broadway, Suite 670
Denver, Colorado 80202

Effective Date: This 1st 3rd day EB

of July, 1998.

APPROVED AS TO FORM


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