



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. Parnham*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of §  
Certified Registered Nurse Anesthetist §  
& §  
Registered Nurse License Number 446223 §  
issued to THOMAS OLLIE MCLEOD §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Certified Registered Nurse Anesthetist and Registered Nurse License Number 446223, issued to THOMAS OLLIE MCLEOD, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

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

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

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is in "retired/inactive" status and Respondent's authorization to practice as a Certified Registered Nurse Anesthetist in the State of Texas is in "inactive" status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Associate Degree in Nursing from Northwestern State University, Shreveport, Louisiana, on May 31, 1976. Respondent was licensed to practice professional nursing in the State of Texas on November 28, 1978. Respondent completed the Advanced Nurse Practitioner Program from the Harris County Hospital District Nurse Anesthesia School, Houston, Texas, on January 1, 1981. Respondent received recognition from the Board as a Certified Registered Nurse Anesthetist in the State of Texas on September 5, 1986, and received Board recognition as a Certified Registered Nurse Anesthetist with Prescriptive Authorization in the State of Texas on June 14, 2012.

4. Respondent's complete nursing employment history is unknown.
5. On or about July 31, 2013, the Board provided Respondent with notice of alleged violations of the Nurse Practice Act as follows:
  - On or about June 11, 2013, while employed as a CRNA with Medical Arts Hospital, Lamesa, Texas, Respondent lacked fitness to practice nursing in that he exhibited the following behaviors while on duty: the inability to focus his eyes, and stumbling and sleeping while performing general anesthesia. In addition, Respondent administered Rocuronium without a physician's order and Succinylcholine twice to a seven year old patient. Consequently, the patient had to be reintubated..
  - On or about June 11, 2013, while employed as a CRNA with Medical Arts Hospital, Lamesa, Texas, Respondent repeatedly directed the OR circulating nurse to administer five milligrams of Dilaudid to a seven year old patient, despite the nurse questioning the excessive dose.
  - On or about June 11, 2013, while employed as a CRNA with Medical Arts Hospital, Lamesa, Texas, Respondent failed to accurately and completely document the care provided to five patients.
  - On or about June 11, 2013, while employed as a CRNA with Medical Arts Hospital, Lamesa, Texas, Respondent failed to follow the directive of his supervisor to cooperate with a urine drug screen test. Consequently, he was terminated and escorted out of the building.
6. In response to the allegations in FOF #5, Respondent states that he did not make a documentation error as he had documented the care he provided and that he did not make a medication error because he has prescriptive authority. Regarding the Dilaudid, Respondent indicates that he does not remember anything about ordering Dilaudid. Respondent specifically admitted that he was not fit to practice safely on June 11, 2013, because he had a bad reaction to an over the counter medication, Dramamine and cough syrup. Respondent further stated that he could no longer "do it any more" due to his poor health, and he is probably dependent on narcotics, particularly if he starts taking them again.
7. On August 13, 2013, the Board received a notarized statement from Respondent voluntarily surrendering his right to practice professional nursing in Texas. A copy of Respondent's notarized statement, dated August 12, 2013, is attached and incorporated herein by reference as part of this Order.
8. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

9. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C),(1)(D),(1)(M)&(1)(T) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(1)(E),(4),(5)&(10)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Certified Registered Nurse Anesthetist and Registered Nurse License Number 446223, heretofore issued to THOMAS OLLIE MCLEOD, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Certified Registered Nurse Anesthetist and Registered Nurse License Number 446223, heretofore issued to THOMAS OLLIE MCLEOD, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice advanced practice or registered nursing, use the title of registered nurse or certified registered nurse anesthetist or the abbreviation RN or CRNA or wear any insignia identifying as a nurse or nurse anesthetist or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a nurse or nurse anesthetist during the period in which the license(s) is/are surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

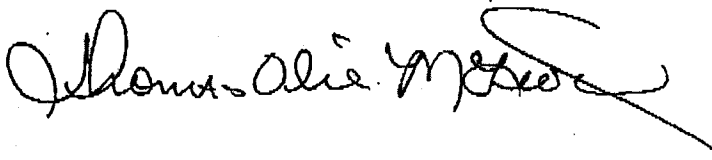
Effective this 13th day of August 2013.

TEXAS BOARD OF NURSING

By:   
\_\_\_\_\_  
Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board

**August 12, 2013**

**In lieu of further investigation I am voluntarily surrendering my  
Texas Registered Nurse License-446223.**



**Thomas Olie McLeod**



Notary

08/13/2013

KEITH D. COCKERHAM, NOTARY PUBLIC  
BOSSIER PARISH, LOUISIANA  
MY COMMISSION IS FOR LIFE  
008396