

IN THE MATTER OF §
PERMANENT REGISTERED NURSE §
LICENSE NUMBER 765623 §
ISSUED TO §
KAREN DENISE LYNCH §

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



Patricia A. Plummer
Executive Director of the Board

I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.

ORDER OF THE BOARD

TO: KAREN DENISE LYNCH
6533 PATTI DRIVE #2308
CORPUS CHRISTI, TX 78414

During open meeting held in Austin, Texas, on May 13, 2014, 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 765623, previously issued to KAREN DENISE 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 13th day of May, 2014.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed December 16, 2013.

Re: Permanent Registered Nurse License Number 765623
Issued to KAREN DENISE LYNCH
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14 day of May, 2014, 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

KAREN DENISE LYNCH
6533 PATTI DRIVE #2308
CORPUS CHRISTI, TX 78414

Via USPS First Class Mail

KAREN DENISE LYNCH
6533 PATTI DRIVE #2308
CORPUS CHRISTI, TX 78414

KAREN DENISE LYNCH
105 S. Cone Street
Searcy, Arkansas 72143

KAREN DENISE LYNCH
6045 Elm Springs Road
Springdale, Arkansas 72762



BY:

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

In the Matter of Permanent
Registered Nurse License
Number 765623 Issued to
KAREN DENISE LYNCH,
Respondent

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§

BEFORE THE TEXAS

BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KAREN DENISE LYNCH, is a Registered Nurse holding License Number 765623, 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 June 21, 2013, Respondent was issued a Findings of Fact, Conclusions of Law and Order by the Arkansas State Board of Nursing wherein Respondent's license to practice professional and practical nursing in the State of Arkansas was Revoked. A copy of the Findings of Fact, Conclusions of Law and Order issued by the Arkansas State Board of Nursing, dated June 21, 2013, is attached and incorporated by reference as part of this pleading.

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).

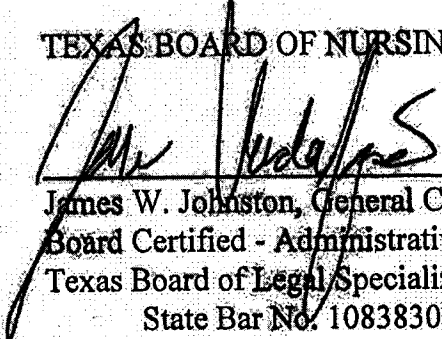
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, 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 is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Findings of Fact, Conclusions of Law and Order issued by the Arkansas State Board of Nursing, dated June 21, 2013.

Filed this 16 day of December, 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

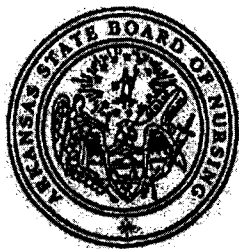
John F. Legris, Assistant General Counsel
State Bar No. 00785533

John Vanderford, Assistant General Counsel
State Bar No. 24086670

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

Attachments: Findings of Fact, Conclusions of Law and Order issued by the Arkansas State Board of Nursing, dated June 21, 2013.

D/2013.11.19



ARKANSAS STATE BOARD OF NURSING

1123 S. University Avenue, Suite 800, University Tower Building, Little Rock, AR 72204
Phone: (501) 686-2700 Fax: (501) 686-2714 www.arsbn.org

FORMAL DISCIPLINARY DOCUMENT

RE: KAREN DENISE TURNER BOWMAN LYNCH

Regarding your request for information about the above-named practitioner; attached is a true and correct copy of the document on file with the Arkansas State Board of Nursing Discipline Department. These records are considered Certified by the Arkansas State Board of Nursing.

Certain information may have been withheld pursuant to Arkansas state laws. While those laws require that most records be disclosed on request, they may also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

A handwritten signature in black ink, appearing to read "Phyllis DeClerk", written over a horizontal line.

Phyllis DeClerk, RN
ASBN Assistant Director



BEFORE THE ARKANSAS STATE BOARD OF NURSING

IN THE MATTER OF:

KAREN DENISE TURNER BOWMAN LYNCH

**RN LICENSE NO. R050667 (EXPIRED)
LPN LICENSE NO. L017732 (EXPIRED)**

**FINDINGS OF FACT
CONCLUSIONS OF LAW AND ORDER**

A hearing on the captioned matter was held before the Arkansas State Board of Nursing (hereinafter referred to as "the Board"), on June 12, 2013, in the Board Room of the Arkansas State Board of Nursing, 1123 South University, Suite 800, Little Rock, Arkansas. The Board was represented by its General Counsel, William F. Knight. Karen Denise Turner Bowman Lynch, Registered Nurse and Licensed Practical Nurse (hereinafter referred to as "Respondent"), failed to appear in person before the Board and was not represented by counsel. The Order and Notice of Hearing was mailed to Respondent on May 23, 2013. On the basis of testimony and other evidence presented, the Board made the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is licensed as a registered nurse and licensed practical nurse and holds License No. R050667 (expired) and License No. L017732 (expired).
2. On or about May 12, 2012, Jacquelyn Wilkerson, RN, BSN, MBA, Vice President of Patient Services and Chief Nursing Officer at Conway Regional Health System, reported Respondent's voluntary termination after it was discovered that she could not account for missing controlled substances and diversion of controlled substances.
3. Arkansas Department of Health, Pharmacy Services conducted an investigation

IN THE MATTER OF:

KAREN DENISE TURNER BOWMAN LYNCH

**RN LICENSE NO. R050667 (EXPIRED)
LPN LICENSE NO. L017732 (EXPIRED)**

and audit of five (5) medical records of patients of Respondent. The audit reviewed records from February 11, 2011, through May 5, 2012. In that time period, the investigator found a total of 90 mg of Oxycodone, 40 mg of Hydrocodone, and 10 mg of Ambien not documented. However, Respondent did correctly document non-controlled medications.

4. A Corrective Action Form belonging to Respondent and dated November 11, 2011, indicated the following concerns:

- a. high volume of controlled substances given to patients in comparison to other labor/delivery/postpartum nurses;
- b. a pattern of medication administration not appropriate for patient population;
- c. throughout the months of May to July of 2011, Respondent had administered 19.55% of all Ambien given on the unit;
- d. late documentation of pain medication as opposed to Pyxis removal times;
- e. incidences of controlled substances withdrawal from Pyxis but not documented on Medication Administration Record (MAR); and
- f. one incident of Ambien withdrawn on patient but not ordered or documented on the MAR.

5. A Corrective Action Form dated April 11, 2012, indicated that a patient's spouse reported that he had to change his wife's peri-pads twice during the night and the IV beeped for four (4) hours while he repeatedly called for Respondent and he hit silence. The patient's

IN THE MATTER OF:

KAREN DENISE TURNER BOWMAN LYNCH

**RN LICENSE NO. R050667 (EXPIRED)
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epidural had come out during the night and was still hanging in the room with tape and catheter still attached. The patient's fundus was boggy, and she stated it had not been massaged during the night.

6. A Corrective Action Form dated May 5, 2012, indicated that Respondent failed to document on six (6) patients [mother and baby]. New mother documentation missing included fall risk, pain reassessments, post-partum flow sheet, and post-partum teaching. New Baby documentation was missing pain assessment, teaching, weight, 24 hour flow sheet, vital signs, and feedings.

7. A Corrective Action Form dated May 8, 2012, indicates the following controlled substance concerns:

- a. withdrawal of Oxycodone and Hydrocodone from the Pyxis without documentation on the MAR or documentation of pain level;
- b. two (2) separate incidents of Oxycodone being withdrawn from the Pyxis at two (2) hour intervals instead of three (3) hours;
- c. two (2) incidents of Ambien withdrawn from the Pyxis without documentation on the MAR or as needed documentation;
- d. Ambien administered to breastfeeding mothers against MD orders;
- e. Ambien being administered after midnight;
- f. withdrawing medication from the GYN Pyxis (different area) on patients not assigned to Respondent. Medication Respondent withdrew included Ambien, Xanax,

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Oxycodone, and Vicodin; and

g. on or about May 1, 2012, oncoming nurse reported Respondent failed to document on a newborn's flow sheet and/or Meditech.

8. Homestyle Assisted Living, Springdale, Arkansas, reported that Respondent voluntarily resigned on or about October 26, 2012, after being asked about missing controlled substances that had been replaced with acetaminophen. On or about October 25, 2012, it was discovered that eighty-two (82) medications were missing from residents who had medication reminders from staff. On or about October 22, 2012, Respondent was responsible for the medication count reconciliation. Respondent was scheduled off October 24, 2012 and called in for October 25, 2012.

9. The missing medication was replaced by the facility. On or about October 30, 2012, it was discovered that one hundred thirty-six (136) medications had been replaced by acetaminophen. When administration called Respondent in to discuss this incident, they report she did not make eye contact, asked no questions, just stated "I resign". The facility has had no further missing medications since October 30, 2012, after Respondent resigned.

CONCLUSIONS OF LAW

1. Pursuant to Ark. Code Ann. §17-87-309, the Board has subject matter and personal jurisdiction in this matter.

2. Respondent is guilty of violating Arkansas Code Ann. §17-87-309(a)(4) and (a)(6).

IN THE MATTER OF:

KAREN DENISE TURNER BOWMAN LYNCH

RN LICENSE NO. R050667 (EXPIRED)
LPN LICENSE NO. L017732 (EXPIRED)

ORDER

IT IS THEREFORE ORDERED by the Board that the license issued to Respondent be REVOKED. Respondent must surrender her license(s) to practice nursing to the Board immediately.

Respondent may request judicial review of the decision rendered by the Board by filing a petition in the Court of any county in which Respondent resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service upon Respondent of the Board's final decision.

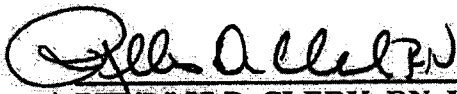
DATED this 21st day of June, 2013.

ARKANSAS STATE BOARD OF NURSING



BY:


WILLIAM F. KNIGHT, AR Bar No. 85086
ASBN General Counsel


PHYLLIS DeCLERK, RN, LNCC
ASBN Assistant Director
University Tower Building, Suite 800
1123 South University Avenue
Little Rock, Arkansas 72204
(501) 686-2700

IN THE MATTER OF:

KAREN DENISE TURNER BOWMAN LYNCH

RN LICENSE NO. R050667 (EXPIRED)
LPN LICENSE NO. L017732 (EXPIRED)

CERTIFICATE OF SERVICE

I, Phyllis DeClerk, ASBN Assistant Director, do hereby certify that I have served a copy of the foregoing document by mailing a copy of same by certified, return receipt requested, U.S.

Mail, postage prepaid, this 21st day of June, 2013, to the following:

KAREN DENISE LYNCH
105 S CONE ST
SEARCY, AR 72143


PHYLLIS DeCLERK, RN, LNCC