



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

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Vocational Nurse License Number 176468	§	
issued to MISTY DAWN LECHNER	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MISTY DAWN LECHNER, Vocational Nurse License Number 176468, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 11, 2014.

### FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Frank Phillips College, Borger, Texas, on May 12, 2000. Respondent was licensed to practice vocational nursing in the State of Texas on July 12, 2000.
5. Respondent's vocational nursing employment history includes:  
  
07/2000 - 12/2006      Unknown

Respondent's vocational nursing employment history continued:

01/2007-01/2008	Licensed Vocational Nurse	Moore County Hospital District Dumas, Texas
01/2008-04/2008	Licensed Vocational Nurse	Northwest Texas Hospital Amarillo, Texas
04/2008-09/2008	Licensed Vocational Nurse	Dumas Nursing and Rehab Dumas, Texas
07/2009-06/2011	Licensed Vocational Nurse	Coon Memorial Nursing Home Dalhart, Texas
07/2011-08/2011	Unknown	
09/2011-03/2012	Charge Nurse	Georgia Manor Nursing Home Amarillo, Texas
03/2012-08/2012	Charge Nurse	Kirkland Court Health and Rehab Amarillo, Texas
08/2012-01/2014	Licensed Vocational Nurse	Epic Pediatric Home Health Amarillo, Texas
08/2013-09/2013	Agency Nurse	Nursefinders Amarillo, Texas
02/2014-07/2014	Licensed Vocational Nurse	Texas Tech Health Science Center- Bill Clements Unit TDCJ Amarillo, Texas
07/2014-Present	Licensed Vocational Nurse	Epic Pediatric Home Health Lubbock, Texas

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Texas Tech University Health Science Center, Amarillo, Texas, and had been in that position for five (5) months.
7. On or about July 19, 2014, while employed as a Licensed Vocational Nurse with Texas Tech University Health Science Center, Amarillo, Texas, Respondent failed to take precautions to secure fifty (50) Tramadol 50mg tablets, twenty (20) Methadone 5mg tablets, and thirty

(30) Tylenol #3 tablets from the facility medication room. Respondent's conduct left medications unaccounted for and is a violation of Chapter 483 (Dangerous Drugs Act) and Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

8. In Response to Finding of Fact Number Seven (7), Respondent states that she must have accidentally left the medication room unlocked at some point. Respondent states she is unable to recall when this occurred, but takes full responsibility as she knows that was irresponsible of her. Respondent states she reported it immediately after noticing there were medications missing.

### 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 §217.12(1)(B),(4)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 176468, heretofore issued to MISTY DAWN LECHNER.

### TERMS OF ORDER

#### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

## II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

## III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically**

- indicated:**
- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.
  - B. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

## IV. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 5<sup>th</sup> day of December, 2014.

Misty Dawn Lechner  
MISTY DAWN LECHNER, Respondent

Sworn to and subscribed before me this 5<sup>th</sup> day of December, 2014.

SEAL



Lisa K. Kirkwood  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 5th day of December, 2014, by MISTY DAWN LECHNER, Vocational Nurse License Number 176468, and said Order is final.

Effective this 29th day of December, 2014.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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