



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 Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 566338 §
issued to JUDY PAULETTE CUTTEN §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 566338, issued to JUDY PAULETTE CUTTEN, 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 currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Community College of Denver, Denver, Colorado, on June 1, 1973. Respondent was licensed to practice professional nursing in the State of Texas on December 27, 1990.
4. Respondent's nursing employment history is unknown.
5. On or about September 23, 2014, the Voluntary Surrender of Respondent's Oklahoma registered nurse license was accepted by the Oklahoma Board of Nursing, Oklahoma City, Oklahoma. A copy of the Oklahoma Board of Nursing Stipulations, Settlement and Order dated September 23, 2014, is attached and incorporated, by reference, as part of this Order.

6. Formal Charges were filed on February 10, 2015.
7. Formal Charges were mailed to Respondent on February 11, 2015.
8. On February 26, 2015, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated February 26, 2015, is attached and incorporated herein by reference as part of this Order.
9. 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.
10. 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 cause pursuant to Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 566338, heretofore issued to JUDY PAULETTE CUTTEN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. 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.

ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 566338, heretofore issued to JUDY PAULETTE CUTTEN, 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 professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is 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.

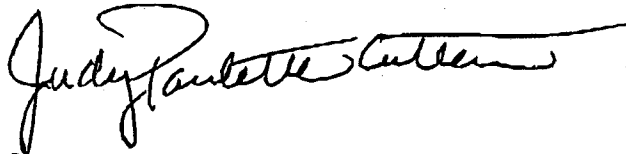
Effective this 26th day of February, 2015.

TEXAS BOARD OF NURSING

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

I Judy Paulette Cutten willingly relinquish my
nurses license in the State of Texas this day
Feb 26, 2015.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judy Paulette Cutten". The signature is written in black ink and is positioned above the printed name.

Judy P Cutten

6663 S. Victor Ave

Building H

Unit 108

Tulsa Ok 74136

BEFORE THE OKLAHOMA BOARD OF NURSING

**IN THE MATTER OF JUDY PAULETTE KING DOUGLASS HOTTEL CUTTEN, r.n.
LICENSE NO. R0027740 (LAPSED)**

STIPULATIONS, SETTLEMENT AND ORDER

This matter comes on before the Informal Disposition Panel ("Panel") of the Oklahoma Board of Nursing ("Board") on the 9th day of September, 2014, in the Conference Room of the Board Office, 2901 North Classen Boulevard, Suite 105, Oklahoma City, Oklahoma.

Gail Hutchison, R.N., a Nurse Investigator with the Board, appears in person, and Judy Paulette King Douglass Hottel Cutten, r.n., (hereinafter, "Respondent") having received notice voluntarily appears neither in person nor by counsel before the Panel on this date. Respondent and the Nurse Investigator subsequently consented to this Stipulations, Settlement and Order ("Order").

Respondent has been advised of her right to an attorney and has voluntarily waived her right to an attorney.

STIPULATIONS

Respondent and the Panel hereby stipulate and agree to the following joint stipulations and proposed Order of the Board incorporating these stipulations and agreements in the above-styled matter.

1. Respondent's license to practice registered nursing in the State of Oklahoma being License No. R0027740 lapsed June 1, 2014.
2. On or about April 29, 2014, the Respondent while working as an operating room nurse on the 7 a.m. to 3 p.m. shift at Pinnacle Specialty Hospital in Tulsa, Oklahoma ("Pinnacle Hospital"), admits to tampering with vials of the injectable controlled dangerous

substance ("CDS") Hydromorphone. The Clinical Director received a report by the night R.N. of tampered injectable CDS medications found during inventory count at 2300 that included: 91 Hydromorphone 50mg/5 ml vials. Upon examination, the tops of the vials had been removed and glued back on. A jacket and a glue gun were found in unlocked locker #7, the Respondent's locker. The Respondent failed to report for a required urine drug screen on May 1, 2014 and was terminated from Pinnacle Hospital on May 1, 2014.

3. Respondent has voluntarily surrendered the license to practice registered nursing in the State of Oklahoma held by the Respondent.

4. No formal Complaint has been filed as of the date of this stipulation charging Respondent with a violation of the Oklahoma Nursing Practice Act. Respondent understands that Respondent has a right to require that a formal Complaint be filed and the right to a formal hearing before the Board at which time Respondent could confront the witnesses against Respondent, cross-examine those witnesses, and present evidence in Respondent's own behalf. Respondent understands that by signing and agreeing to this Order Respondent is waiving those rights.

5. This stipulation is executed by the Respondent for the purpose of avoiding further administrative action with respect to this matter. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of this Order. Furthermore, should this Order not be accepted by the Board, it is agreed that presentation to and consideration of this Order and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

6. Respondent fully understands and agrees that this Order will in no way preclude additional proceedings by the Board against Respondent for acts or omissions not specifically made a part of this Order.

7. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this joint stipulation of facts, conclusions of law and imposition of discipline, and the Order of the Board incorporating said stipulations.

8. It is expressly understood that this Order is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

9. This Order constitutes formal disciplinary action.

STIPULATED DISPOSITION AND ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that the voluntary surrender of Respondent's license to practice as a registered nurse should be accepted, upon the following terms and conditions.

1. Any Application to Reinstate any nursing license shall not be considered for the period of **two (2) years**.

2. Upon Reinstatement, Respondent's license will be immediately placed in temporary suspension pending admission to the Peer Assistance Program. Respondent shall provide documentation, satisfactory to the Board, of Respondent's acceptance into the Peer Assistance Program within **sixty (60) days of reinstatement**.

3. Respondent's pocket license card shall be marked "Conditions: Peer Assistance."

4. If Respondent is not accepted into the Peer Assistance Program within sixty (60) days of reinstatement, or having been accepted is terminated from the Program for any reason other than successful completion of Respondent's contract and treatment plan, Respondent's license is hereby **revoked for a period of two (2) years.**

5. Any Application to Reinstate any nursing license shall not be considered until Respondent furnishes proof of compliance with this Board's Guidelines for Individuals Requesting Reinstatement After Suspension, Surrender or Revocation for Misappropriation or Misuse of Drugs/Alcohol, a copy of which is attached hereto and made a part hereof. Respondent must also submit evidence of the continued qualifications for practice as set forth in the applicable Statutes and Rules of the Oklahoma Board of Nursing in effect at the time of Respondent's reinstatement.

6. In the event Respondent's license is revoked as provided herein, Respondent shall pay an administrative penalty payable to the Oklahoma Board of Nursing in the full amount of Five Hundred Dollars (\$500.00). Partial payments are not accepted. The administrative penalty shall be paid only by certified check, money order or cash. Any Application to Reinstate Respondent's license will not be considered until the administrative penalty is paid in full.

IT IS FURTHER ORDERED that Respondent shall comply in all respects with the Oklahoma Nursing Practice Act, 59 O.S. Sections 567.1, et seq., the Rules, OAC Title 485 Chapters 1 and 10 and Guidelines relating to nursing education, licensure and practice and this Order.

IT IS FURTHER ORDERED, prior to the Respondent's successful completion of this Order, any violations of the Oklahoma Nursing Practice Act by the Respondent, except as set forth herein, may require Respondent's appearance before the Board to **Show Cause** why Respondent's license should not be revoked or other such action taken as the Board deems necessary and proper.

IT IS FURTHER ORDERED that in the event the Certified Mail delivery of Respondent's Order is unsuccessful a process server will be hired to obtain service of the Order. If it is necessary to serve the Respondent by a process server, the Respondent shall reimburse the Board for the actual cost of the process server. The Respondent shall pay to the Board the actual cost of the process service **prior to reinstatement**. The process service fee shall be paid only by certified check, money order or cash to the Board.

IT IS FURTHER ORDERED that the parties agree that both (all) parties have participated in the drafting of this Order and that no presumption or construction against any party as the drafter of this Order, shall apply or be applied in the event of a claim of ambiguity of the document or a provision thereof.

IT IS FURTHER ORDERED that should this Order not be accepted by the Board, it is agreed that presentation to and consideration of this Order and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

IT IS FURTHER ORDERED that this Order shall not be effective until the fully executed Order is received in the Board office.

IT IS FURTHER ORDERED that upon successful completion by Respondent of Respondent's Contract, Amended Contract(s), and treatment plan with the Peer Assistance Program, no further Order of the Board shall be deemed necessary.

IT IS FURTHER ORDERED that this Order constitutes disciplinary action by the Board and may be used in any subsequent hearings by the Board. In the event other misconduct is reported to the Board, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

Judy P. [Signature]
Respondent

Approved and ordered this 23rd day of September, 2014.

OKLAHOMA BOARD OF NURSING

By: [Signature]
President

GH:sr

