



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 534513 §  
& Vocational Nurse License Number 98925 §  
issued to TRACY L DRUMM §

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 534513, and Vocational Nurse License Number 98925, issued to TRACY L DRUMM, 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 inactive status. Respondent's license to 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 a Certificate in Vocational Nursing from Midland College, Midland, Texas, on August 27, 1982. Respondent was licensed to practice vocational nursing in the State of Texas on December 31, 1982. Respondent received an Associate Degree in Nursing from Midland College, Midland, Texas, on May 1, 1986. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 1986.
4. On or about December 3, 2014, the Voluntary Surrender of Respondent's Louisiana registered nurse license was accepted by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. A copy of the Louisiana State Board of Nursing's Voluntary Surrender of License dated December 3, 2014, is attached and incorporated, by reference, as part of this Order.

5. Formal Charges were filed on February 18, 2015.
6. Formal Charges were mailed to Respondent on February 20, 2015.
7. On March 2, 2015, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated February 16, 2015, 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 cause pursuant to Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 534513, and Vocational Nurse License Number 98925, heretofore issued to TRACY L DRUMM, 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

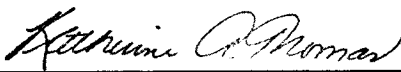
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 534513, and Vocational Nurse License Number 98925, heretofore issued to TRACY L DRUMM, to practice nursing in the State of Texas, is/are accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional or vocational nursing, use the title of "registered nurse" or "vocational nurse" or the abbreviation "RN" or "LVN" or wear any insignia identifying herself as a registered nurse or vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse or vocational nurse 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 2nd day of March, 2015.

TEXAS BOARD OF NURSING

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

LOUISIANA STATE BOARD OF NURSING  
BATON ROUGE, LOUISIANA

IN THE MATTER OF  
TRACY RHODES BUDDE  
135 CENTER ST  
NEW IBERIA, LA 70560  
Respondent

\*  
\*  
\*  
RN073901  
Voluntary Surrender of License

Terms Agreed to by Respondent

I, TRACY RHODES BUDDE, (Respondent), voluntarily agree to sign and have witnessed the terms of this agreement for the purpose of avoiding formal administrative proceedings with the Louisiana State Board of Nursing.

I, TRACY RHODES BUDDE, do freely, knowingly and voluntarily enter into this agreement. I understand that I have a right to a hearing in this matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into this agreement.

I hereby voluntarily surrender my license to practice as a Registered Nurse in Louisiana, and I agree that by so doing I subject myself to formal disciplinary action as per Title 46, Professional and Occupational Standards, Part XLVII, Subpart 2, Section 3409.C.

I understand that this voluntary license surrender shall have the consequences set forth in Section 3409.C., including, but not limited to, the following:

1. Be deemed a disciplinary action.
2. Be deemed an admission of the allegations under investigation, listed below as Findings of fact:
  - a. On or about April 1, 1993, Respondent was licensed by endorsement to practice as a Registered Nurse in Louisiana.
  - b. On July 17, 2014, for Patient # 1 (NS) who had orders for Hydrocodone/APAP (Norco) 10/325 mg one tab as needed every six hours PO as needed for pain, Respondent at 7:37 P.M. completed two separate removals of one Hydrocodone APAP 10/325mg tablet totaling 20 mg of Hydrocodone and at 8:14 A.M. documented the administration of Hydrocodone/APAP 10/325 mg one tablet on the MAR; however, Respondent failed to document the administration of the additional Hydrocodone/APAP 10/ 325 mg tablet or otherwise account for the medication.
  - c. On August 18, 2014, while employed as a Registered Nurse at Dauterive Hospital in New Iberia, Louisiana, Respondent submitted a urine sample for a for cause drug screen. The Drug Test Report was issued on August 29, 2014 and showed a positive result for THC 50 ng/ml.
3. Cause Respondent's license to become invalidated and have an "inactive" status at the time of license surrender.

713

RECEIVED  
DEC 02 2014  
LOUISIANA STATE  
BOARD OF NURSING

LOUISIANA STATE BOARD OF NURSING  
BATON ROUGE, LOUISIANA

IN THE MATTER OF  
TRACY RHODES BUDDE  
135 CENTER ST  
NEW IBERIA, LA 70560

RN073901

Respondent  
License

Voluntary Surrender of

Terms Agreed to by License (Cont'd)

4. Cause ineligibility for licensure reinstatement for a minimum of two (2) years and until such time as the Respondent meets the requirements for reinstatement as described in Chapter 34 of the Board Rules.
5. Become public record to be reported and distributed in the same manner as a final decision of the Board. This will be reported to the National Practitioner Data Bank (NPDB) as H6, Diversion of Controlled Substance and 99, Other: Tested Positive for THC on a For Cause Drug Screen.

**NPDB Narrative: Respondent's RN license was voluntarily surrendered after Respondent demonstrated a narcotic discrepancy and tested positive for THC on a for cause drug screen.**

6. Prohibit Respondent from practicing as an RN in Louisiana for a minimum period of two (2) years. Such illegal practice shall be subject to penalties provided in Chapter 34 of the Board Rules.
7. Will require Respondent to submit payment of \$200 to the Board as cost.
8. Will require that, prior to reinstatement, a hearing or conference shall be held before the Board or with Board staff to afford Respondent the opportunity to present evidence that the cause/condition that led to the voluntary surrender no longer exist and to afford the Board or Board staff the opportunity to evaluate changes in the person or condition. The burden of proof shall be for the Respondent to prove that conditions that led to the voluntary surrender of Respondent's license no longer exist and/or no longer affects Respondent's ability to practice safely.
9. Will require Respondent to submit to various evaluations (physical, psychological, psychiatric, and/or substance abuse), at Respondent's expense, and follow recommendations of same. If any evaluations give any findings to warrant concern for patient safety, Respondent must demonstrate, to the satisfaction of the Board, that Respondent poses no danger to the practice of nursing or to the public and can safely and competently perform the duties of a Registered Nurse.
10. Will result in a period of probation, in the event that Respondent resumes practice in Louisiana after the period of surrender is completed.
11. Will require that Respondent's license be reinstated by Consent Order or Board Order which would become public record published in the Examiner.

I further acknowledge that I have fully cooperated with the Louisiana State Board of Nursing in resolving these charges, and intend to comply with all stipulations of this Order.

RECEIVED  
DEC 02 2014  
LOUISIANA STATE  
BOARD OF NURSING

LOUISIANA STATE BOARD OF NURSING  
BATON ROUGE, LOUISIANA

IN THE MATTER OF  
TRACY RHODES BUDE  
135 CENTER ST  
NEW IBERIA, LA 70560  
Respondent  
License

RN073901  
Voluntary Surrender of

Terms Agreed to by License (Cont'd)

I, TRACY RHODES BUDE, understand that this agreement is effective immediately upon signature of the Executive Director and will become an ORDER of the Board.

Dated this 26 day of November, 2014

[Signature]  
Witness Robin Rhodes

[Signature]  
TRACY RHODES BUDE  
[Signature]  
Witness JUDITH C. RHODES

LOUISIANA STATE BOARD OF NURSING

[Signature] 12/3/14  
Karen C. Lyon, PhD, APRN, ACNS, NEA Date  
Executive Director

RECEIVED  
DEC 02 2014  
LOUISIANA STATE  
BOARD OF NURSING

Texas Board of Nursing  
333 Guadalupe Street  
Ste 3-460  
Austin, TX 78701  
February 16, 2015

To Texas Board of Nursing:

I have voluntarily surrendered my license number 534513.

Any further mail should be directed to

Tracy Budde  
135 Center St  
New Iberia, LA 70560

Sincerely,



Tracy Budde

Sworn to and subscribed before me, on this  
24<sup>th</sup> day of February, 2015.

