

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 778129 §
issued to LORI JEAN PHILLIPS §



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

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 778129, issued to LORI JEAN PHILLIPS, 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 is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Northwestern State University, Shreveport, Louisiana, on December 15, 2006. Respondent was licensed to practice professional nursing in the State of Texas on December 8, 2009.
4. Respondent's nursing employment history is unknown.
5. On or about August 21, 2014, Respondent's registered nurse license was Fined and Reprimanded through a Consent Order issued by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. Respondent also agreed to submit to outpatient evaluations and if monitoring was recommended, her license would be issued a Probated Suspension. On or about October 20, 2014, a recommendation for monitoring was received, and Respondent's registered nurse license was issued a summary Probated Suspension. A copy of the Louisiana State Board of Nursing Consent Order dated August 21, 2014, is attached and incorporated, by reference, as part of this Order.

6. Formal Charges were filed on June 22, 2015.
7. Formal Charges were mailed to Respondent on July 2, 2015.
8. On July 27, 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 July 22, 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 778129, heretofore issued to LORI JEAN PHILLIPS, 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 778129, heretofore issued to LORI JEAN PHILLIPS, 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 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/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 27th day of July, 2015.

TEXAS BOARD OF NURSING

By: _____



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

To whom it may concern: 7/22/15

I would like to surrender
my Texas nursing license.

Texas RN 778129

Sincerely,

Lon Phillips

Lon Phillips

Sworn and subscribed before me, Notary
Public, this 22d day of July, 2015.

Vicki C. Warner

RECEIVED 707
VICKI C. WARNER, NOTARY PUBLIC
ORLEANS PARISH, LA
MY COMMISSION IS FOR LIFE
BAR ROLL NO 17193

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
LORI JEAN PHILLIPS
3321 COLQUITT RD
SHREVEPORT, LA 71118
Respondent

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RN117546
CONSENT ORDER

TERMS AGREED TO BY LICENSEE

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

I, LORI JEAN PHILLIPS, do say that I 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 acknowledge that the Louisiana State Board of Nursing makes the following FINDINGS OF FACT:

1. On or about March 8, 2007, Respondent was licensed by examination to practice as a Registered Nurse in Louisiana.
2. On or about June 10, 2013, while employed as a Registered Nurse at Christus Schumpert Hospital in Shreveport, Louisiana, Respondent tested positive for Oxazepam on a pre-employment drug screen for Minden Medical Center.
3. From June 2009 to August 2013, Respondent has demonstrated long term use of a sedative-hypnotic drug (Ambien); therefore, Respondent's ability to practice nursing with reasonable skill and safety may be adversely affected by Respondent's chronic use of said medication. Respondent contends that she had a legitimate prescription, albeit long term use, and there is no evidence of doctor shopping or attempting to get the prescription fraudulently. Respondent also contends she was compliant with her prescription and that she has not taken this medicine at all since August of 2013.

To facilitate submission of this Consent Agreement, I do not offer any defense to the FINDINGS OF FACTS. I agree that the Board has jurisdiction of this matter pursuant to L.R.S. 37:911, et seq. I admit to all of the above facts and I agree that there may be sufficient evidence upon which to predicate a finding of violation of the provisions of L.R.S. 37:921. I agree that the Board may treat the allegations of fact and law as true, which finding shall have the same force and effect as if evidence and argument were presented in support of the allegations and based thereon, the Board found the allegations to be true. I specifically waive my right to contest these findings in any subsequent proceedings before the Board. I understand that this Consent Order shall constitute a public record and is disciplinary action by the Board. I understand that this will be reported to the National Practitioners Data Bank (NPDB) as F5, Unable to Practice Safely.

NPDB Narrative: Respondent's RN license was fined and reprimanded. Respondent agreed to submit to outpatient evaluations, and if monitoring is recommended, then Respondent's license will be suspended with stay and probated for a minimum of two (2) years with stipulations after Respondent tested positive for a Benzodiazepine on a pre-employment drug screen and demonstrated long term use of a prescription for sedative-hypnotic medication.

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

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JUN 13 2014
LOUISIANA STATE
BOARD OF NURSING

L.P.
Initials

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
LORI JEAN PHILLIPS
3321 COLQUITT RD
SHREVEPORT, LA 71118
Respondent

RN117546
CONSENT ORDER

TERMS AGREED TO BY LICENSEE

In order to avoid further administrative proceedings, I hereby consent to accept and abide by the following ORDER of the Board: That the license of this Respondent is fined and reprimanded. Respondent further agrees to submit to outpatient evaluations, and if monitoring is recommended, then Respondent's license is suspended, with a stay of the said suspension, and the license will be probated for a minimum of two (2) years with stipulations:

1. Within 60 days, submit to comprehensive outpatient psychiatric, psychological, and substance abuse evaluation, at Respondent's expense, at a Board-recognized evaluation and treatment center; Shall authorize and cause a written report of the said evaluation to be submitted to the Board; shall include the entire evaluation report including diagnosis, course of treatment, prescribed or recommended treatment, prognosis, and professional opinion as to Respondent's capability of practicing nursing with reasonable skill and safety to patients.
2. Shall submit all pages of this agreement to each evaluator prior to the start of the evaluations in order for the evaluation to be deemed valid.
3. Respondent hereby consents to the release of the following by board staff to Respondent's above-described evaluators: Any and all information, documents and other records related to conditions, diagnoses and matters described in this document.
4. Immediately submit to all recommendations thereafter of the therapist, physician, or treatment team, and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals. If monitoring is recommended, license suspension with stay and probation shall be required and Respondent must work and practice nursing in the state of Louisiana during the monitoring time period. This stipulation shall continue until Respondent is fully discharged by the respective professionals and until approved by the Board staff.
5. If the evaluations give any treatment recommendations or findings to warrant concern for patient safety, Respondent shall meet with Board or Board staff. Must demonstrate to the satisfaction of the Board that Respondent poses no danger to the practice of nursing or to the public and that Respondent can safely and competently perform the duties of a Registered Nurse. If the Board approves continued licensure, the probation period, conditions or stipulations, may be revised to ensure that patients and the public are protected.
6. If diagnosed with chemical dependency or abuse of alcohol and/or other mood-altering substances that has compromised or may compromise Respondent's capacity to practice nursing with skill and safety, must immediately sign Recovering Nurse Program (RNP) agreement and cause to have submitted evidence of compliance with all program requirements for a minimum of 3 years. License suspension with stay and probation shall be extended to run concurrently, on the same dates, with RNP participation.
7. Shall remain free of alcohol and all un-prescribed mood altering substances. Any mood altering, addictive, or dependency-inducing substance must be currently prescribed for a bona fide medical condition by a physician (or other qualified treating prescriber(s)) knowledgeable about the individual's history and the information underlying the Board's concerns. All prescribed drugs must be verified in writing to the Board on a specified form by the prescribing physicians/qualified prescriber(s) within five (5) days from the effective date of this agreement/order and within five (5) days from the date(s) of any new prescriptions. The Board reserves the right to have a LSBN recognized addictionist review and approve the prescriptions for continued nursing practice.
8. Shall maintain complete and total abstinence from any and all potentially addictive chemicals whether

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- over-the-counter, scheduled or unscheduled (including but not limited to alcohol, alcohol containing products, marijuana, tranquilizers, sedatives, stimulants, narcotics, opioids including ultram (tramadol), nubain, soporifics, androgenic steroids, or any other addictive drug) except as prescribed for a bona fide medical condition by a healthcare provider who is knowledgeable in, and aware of Respondent's history with the Board.
9. In addition to the submission to outpatient evaluations outlined in stipulation # 1 above, Respondent shall voluntarily submit to random and observed drug screens, for a minimum of 12 times a year, inclusive of bodily fluids, breath analysis, hair analysis, or any other procedure as may be directed by the Board and/or employer. If selected for a screen, failure to provide sufficient specimen (bodily fluids, hair, nails etc.) for analysis or failure to test may be considered a positive screen. Random drug screens will be a minimum of 12 times a year. It is the Respondent's responsibility to assure that lab personnel observe all urine specimen collections. If urine specimen collection is not observed the results are invalid. The Respondent agrees to call the toll free number or check the testing notification via computer daily. Compliance with checking daily is monitored and failure to check may result in additional screens. It is the Respondent's responsibility to maintain a current account with testing administrator. If Respondent misses a test due to a suspended account or fails to test on the day of notification it will be considered a positive screen and appropriate action will be taken including but not limited to, further evaluation, additional testing, and suspension of license. The results of any such testing will be reported directly to the Board. Any and all such testing shall be performed at Respondent's expense. Additional screenings may be requested by Board staff. Written reports of same shall be submitted to the Board.
10. Shall avoid exposure to anything that will cause a urine drug test to be positive. In that regard, Respondent shall avoid such items as "hemp oil" "coca tea" and poppy seeds (which can be found in curry sauces, breads, salad dressings, and in or on other foods). Respondent agrees to not use ethyl alcohol in any form (including N.A. or alcohol- "free" wine or beer, over-the-counter drugs containing alcohol (cough syrup, Nyquil or other similar OTC drugs or supplements), mouthwash or other hygiene products containing ethanol, foods containing ethanol (desserts, vanilla extract, etc.), communion wine, or any other form of ethyl alcohol). Intentional use of any of these products or medications without a physician's order is a violation of this order.
11. Respondent agrees to execute a written authorization, along with execution of this Consent Order, allowing the Louisiana State Board of Nursing, and any authorized designees thereof, to access prescription monitoring information submitted to, or maintained by, the Louisiana Board of Pharmacy through its Prescription Monitoring Program (PMP) for the purpose of monitoring compliance with this Order and to determine fitness and ability to practice nursing with reasonable skill and safety. Respondent shall cause to be submitted a completed authorization release form to the Louisiana Board of Pharmacy and shall cause information and reports to be sent to the Louisiana State Board of Nursing, such written authorization to be effective for the duration of this Order. Respondent may also be required during this time period duration to provide to the board/board staff copies of prescription monitoring information maintained by the Board of Pharmacy.
12. If Respondent's license is probated:
- a. Prior to beginning or returning to work, Respondent shall inform all nursing employers of these disciplinary measures and of the probationary status of license. Respondent is responsible to submit a copy of all pages of this agreement to each employer and nursing supervisor.

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LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:

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3321 COLQUITT RD
SHREVEPORT, LA 71118

Respondent

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CONSENT ORDER

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- b. Within 5 days, shall cause all employers to submit to the Board, signed Employer's Agreement from each employer.
 - c. Have all immediate nursing supervisors submit a performance evaluation report quarterly, commencing from the first date of employment. Quarterly reports are due on or before the first day of January, April, July and October.
 - d. Respondent shall work in a restrictive environment as a member of a treatment team rather than alone or with a few employees. Additionally, not be employed in any unsupervised setting. Must be directly supervised by an on-site registered nurse. Not be employed in agency/pool/staffing, home health services, or nursing homes.
13. Immediately (within 72 hours) inform the Board in writing of any change in address.
 14. Immediately inform the Board in writing of all places of employment. If employment changes, the Board shall be immediately (within 72 hours) notified in writing.
 15. If unemployed, inform the Board in writing on a quarterly basis.
 16. Shall engage in the practice of professional nursing in Louisiana for a minimum of twenty four (24) hours per week for a minimum 12 consecutive months.
 17. Within twelve (12) months, submit payment of \$200.00 to the Board as cost of Consent Order at the rate of a minimum of \$15/month beginning September 1, 2014 with the balance due no later than July 31, 2015.
 18. Within twelve (12) months, submit payment of \$1,500.00 to the Board as fine at the rate of \$125/month beginning September 1, 2014.
 19. By the first of each month, submit a monthly probation fee of twenty-five dollars (\$25.00) to the Board, beginning September 1, 2014.
 20. Not have any misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board related to this or any other incidents.
 21. Failure to comply with the above order and/or stipulations, receipt of an unfavorable report, or non-receipt of reports on or before the date due shall result in the immediate suspension of Respondent's license. This suspension can be imposed by action of the Executive Director subject to the discretionary review of the Board.

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LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
LORI JEAN PHILLIPS
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SHREVEPORT, LA 71118
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I, LORI JEAN PHILLIPS, understand that this agreement is effective immediately upon signature of the Executive Director. It is also understood that this agreement does not preclude the Board of Nursing from requiring a formal hearing of my case. I further understand that should the Consent Agreement not be accepted by the Board, I agree that presentation to and consideration of the Consent Agreement, the documentary evidence and information by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding this Respondent.

Dated this 10th day of June, 2014

Lori Phillips
LORI JEAN PHILLIPS

Kirkbealy A. Nichols
Witness Kirkbealy A. Nichols

Vicki C. Warner
Witness Vicki C. Warner

LOUISIANA STATE BOARD OF NURSING

Karen C. Lyon 8/21/14
Karen C. Lyon, PhD, APRN, ACNS, NEA
Executive Director

Date

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