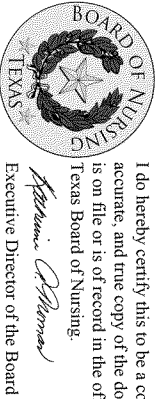


BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 625625 §
issued to ROBIN L FINLEY § ORDER



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.

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ROBIN L FINLEY, Registered Nurse License Number 625625, 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)(9)&(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 21, 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 professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from El Centro College, Dallas, Texas, on December 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas on February 5, 1996.
5. Respondent's nursing employment history includes:

02/96-01/03	Not in nursing	
01/03-10/05	Private Nurse	Nurses Today Incorporated Texas

Respondent's nursing employment history continued:

06/03-10/04	Clinical Nurse	Baylor University Medical Center Texas
05/04-01/06	Surgical Nurse	Centennial Medical Center Texas
11/04-08/06	Clinical Nurse	Baylor University Regional Medical Center Plano, Texas
08/06-01/11	Specials Nurse	Presbyterian Plano Center Plano, Texas
04/11-07/11	RN Case Manager	Texas Center for Orthopedics Texas
07/11-08/11	Unknown	
08/11-10/11	RN Case Manager	North Texas Home Care Texas
10/11-12/11	Unknown	
12/11-present	Quality Coordinator	Texas Health Surgery Center Addison, Texas

6. On or about February 22, 2011, Respondent was issued a CORRECTIVE ACTION by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated February 22, 2011 is attached and incorporated, by reference, as part of this Order.
7. On or about March 21, 2013, Respondent entered a plea of Guilty to and was convicted of DRIVING WHILE INTOXICATED BAC \geq 0.15, a Class A misdemeanor offense committed on November 9, 2011, in the County Court at Law No. 3 of Collin County, Texas, under Cause No. 003-81486-2012. As a result of the conviction, Respondent was sentenced to confinement in the Collin County Jail for a period of one year (1) year; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years and ordered to pay a fine and court costs. On March 20, 2015, Respondent has successfully completed all conditions of her supervision.
8. In response to Finding of Fact Number Seven (7), Respondent admits to the charge, she was not employed, nor practicing as a Registered Nurse. Respondent was going through a difficult personal time and was taking time off of work. Following this unfortunate incident, Respondent sought appropriate care and have since been diagnosed with ADHD and is under the care of Dr. Arnold Mech.

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.
10. Formal Charges were filed on October 21, 2014.
11. Formal Charges were mailed to Respondent on October 22, 2014.

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(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 625625, heretofore issued to ROBIN L FINLEY, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REPRIMAND WITH STIPULATIONS** 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.*

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Indirect Supervision:** RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be

employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- D. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for eight (8) quarters [two (2) years] of employment as a nurse.

V. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, RESPONDENT SHALL abstain from the use of alcohol, tramadol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

- B. While working as a nurse under the terms of this Order, RESPONDENT SHALL submit to random periodic screens for alcohol, tramadol, and controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when Respondent obtains employment and submits the Notification of Employment form to the Board.

- For the first three (3) month [1st quarter] period RESPONDENT works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
- For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
- For the next six (6) month period [3rd & 4th quarters], random screens shall be performed at least once per month.
- For the remainder of the stipulation/probation period, random screens shall be performed at least once every three (3) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board. Any test result for a period of time in which the RESPONDENT is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

Specimens shall be screened for at least the following substances and their metabolites:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the stipulation period and require RESPONDENT to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which RESPONDENT does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject RESPONDENT to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

VI. PROBATION REPORTS

RESPONDENT SHALL CAUSE his/her probation officer to submit written reports on forms provided to the Respondent by the Board. The reports shall indicate the RESPONDENT'S compliance with the court ordered probation. The reports shall be furnished each and every three (3) month quarterly period until RESPONDENT is released from probation.

VII. 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 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 2 day of July, 2015.

[Signature]
ROBIN E. FINLEY, Respondent

Sworn to and subscribed before me this 2nd day of July, 2015.

SEAL



[Signature]

Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]
Oscar San Miguel, Attorney for Respondent

Signed this 18 day of July, 2015.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 2nd day of July, 2015, by ROBIN L FINLEY, Registered Nurse License Number 625625, and said Order is final.

Effective this 11th day of August, 2015.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § CORRECTIVE
License Number 625625 §
issued to ROBIN LADIS PAMPLIN § ACTION

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ROBIN LADIS PAMPLIN, Registered Nurse License Number 625625, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel and agreed to the entry of this Corrective Action offered on December 31, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel and agreed to the entry of this Corrective Action.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. On or about November 2, 2003, Respondent submitted a Texas Online Renewal Document for Registered Nurses and Registered Nurses with Advanced Practice Authorization to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that he/she answered "No" to the question:

"Since issuance or last renewal, have you plead guilty (including no contest plea), been found guilty or convicted of any felony or misdemeanor other than a minor traffic violation? (Note:

DWI or DUI, including first offenses, are not considered minor traffic violations.)"

Respondent failed to disclose that on or about June 10, 2003, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on December 3, 2002), in the County Criminal Court of Denton County, Texas, under Cause No. 2003-773-A. As a result of the conviction, Respondent was sentenced to confinement in the Denton County Jail for a period of one hundred and forty (140) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of eighteen (18) months. Additionally, Respondent was ordered to pay a fine and court costs.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 and 301.651-301.657, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(23) (effective September 1999 through January 31, 2004).
4. Respondent's conduct constitutes grounds for corrective action pursuant to Section 301.652, Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.32(2)(D).

CORRECTIVE ACTION

IT IS THEREFORE AGREED that RESPONDENT SHALL successfully complete the following requirements of this CORRECTIVE ACTION:

(1) RESPONDENT SHALL 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.*

(2) RESPONDENT SHALL, within one (1) year of the date of this Corrective Action, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of this Corrective Action. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Corrective Action, this matter shall be closed and this Corrective Action shall remain confidential.

However, should Respondent fail to successfully complete the terms of this Corrective Action, this matter shall be terminated immediately and shall be treated as a disciplinary proceeding under Subchapter J, TEX. OCC. CODE. Further, should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Corrective Action shall be treated as prior disciplinary action.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Corrective Action. I waive representation by counsel. I have reviewed this Corrective Action. I neither admit nor deny the violation alleged herein. By my signature below, I agree to the entry of this Corrective Action and to successfully complete its conditions, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Corrective Action becomes effective, a copy will be mailed to me. I understand that if I fail to successfully complete the terms and conditions of this Corrective Action, I will be subject to investigation and disciplinary sanction, including possible revocation of my license to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15th day of Feb, 2011.

Robin Ladis Pamplin
ROBIN LADIS PAMPLIN, Respondent

Sworn to and subscribed before me this 15th day of Feb, 2011.

[Signature]

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 impose this Corrective Action that was signed on the 15th day of February, 2011, by ROBIN LADIS PAMPLIN, Registered Nurse License Number 625625.

Effective this 22nd day of February, 2011.



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

