



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

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In the Matter of §  
Vocational Nurse License Number 122798 §  
issued to JUDY BETH ISBELL §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board,

accepted the voluntary surrender of Vocational Nurse License Number 122798, issued to JUDY BETH ISBELL, 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 vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Texas State Technical College West Texas, Sweetwater, Texas, on August 12, 1988. Respondent was licensed to practice vocational nursing in the State of Texas on December 8, 1988.

4. Respondent's nursing employment history includes:

1989-1991	Unknown	
1991-1997	LVN	Mediplex Home Health Abilene, Texas

Respondent's nursing employment history continued:

1997 - 2000	LVN	Advance Home Care Abilene, Texas
07/00 - 06/01	LVN	Trinity Haven Healthcare Center Midland, Texas
07/01 - 08/02	LVN	HealthSouth Rehabilitation Hospital Midland, Texas
09/02 - 2003	Unknown	
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2003 - 2011	LVN	Spring Creek Healthcare Center Fort, Collins, Colorado
2011 - 09/14	Unknown	
10/14 - 02/15	LVN	Windcrest Health and Rehabilitation Abilene, Texas
03/15 - 04/15	LVN	Care Inn of Abilene Abilene, Texas
05/15 - 06/15	LVN	Merkel Nursing Center Merkel, Texas
07/15	Unknown	
08/15 - 09/15	LVN	Sagebrush Living Center Stamford, Texas
10/15 - Present	Unknown	

- On or about December 22, 2014, through January 21, 2015, while employed as a Licensed Vocational Nurse with Windcrest Health and Rehabilitation, Abilene, Texas, Respondent withdrew one (1) tab of Hydrocodone 7.5/325mg, eleven (11) tabs of Hydrocodone 10/325mg and twenty-five (25) tabs of Oxycodone HCL 10mg, from the medication dispensing system for patients RJ, RS and HR, but failed to document, or accurately and completely document, the administration of the medications in the patients' Medication Administration Record (MAR) and/or Nurse's Notes. Respondent's conduct was likely to injure the patients, in that subsequent care givers would rely on her documentation to further medicate the patients, which could result in an overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

6. On or about December 22, 2014, through January 21, 2015, while employed as a Licensed Vocational Nurse with Windcrest Health and Rehabilitation, Abilene, Texas, Respondent withdrew one (1) tab of Hydrocodone 7.5/325mg, eleven (11) tabs of Hydrocodone 10/325mg and twenty-five (25) tabs of Oxycodone HCL 10mg, from the medication dispensing system for patients RJ, RS and HR, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications. Respondent's conduct left medications unaccounted for, was likely to deceive the pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
7. On or about December 22, 2014, through January 21, 2015, while employed as a Licensed Vocational Nurse with Windcrest Health and Rehabilitation, Abilene, Texas, Respondent misappropriated one (1) tab of Hydrocodone 7.5/325mg, eleven (11) tabs of Hydrocodone 10/325mg and twenty-five (25) tabs of Oxycodone HCL 10mg, belonging to the facility or patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
8. On or about January 13, 2015, through January 21, 2015, while employed as a Licensed Vocational Nurse with Windcrest Health and Rehabilitation, Abilene, Texas, Respondent withdrew Oxycodone HCL 10mg and Hydrocodone 10/325mg, from the medication dispensing system for patients in excess frequency of the physician's order. Respondent's conduct was likely to injure the patients, in that the administration of medications in excess frequency of the physician's order could result in the patients suffering from adverse reactions. Additionally, Respondent's Conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
9. On or about June 2, 2015, Respondent was notified of the following allegations:  
  
On or about March 20, 2015, through April 28, 2015, while employed as a Licensed Vocational Nurse with Care Inn of Abilene, Abilene, Texas, Respondent withdrew medication from the medication dispensing system for patients, but failed to document, or accurately and completely document, the administration of the medications in the patients' Medication Administration Record (MAR) and/or Nurses' Notes.  
  
On or about March 20, 2015, through April 28, 2015, while employed as a Licensed Vocational Nurse with Care Inn of Abilene, Abilene, Texas, Respondent withdrew medications from the medication dispensing system for patients, but failed to follow the facility's policy and procedures for wastage of the unused portions of the medications.  
  
On or about March 20, 2015, through April 28, 2015, while employed as a Licensed Vocational Nurse with Care Inn of Abilene, Abilene, Texas, Respondent withdrew medications from the medication dispensing system for patients in excess frequency and/or

dosage of the physician's order.

On or about March 20, 2015, through April 28, 2015, while employed as a Licensed Vocational Nurse with Care Inn of Abilene, Abilene, Texas, Respondent falsified, or made incorrect, inconsistent, or unintelligible entries into patients' records.

On or about March 20, 2015, through April 28, 2015, while employed as a Licensed Vocational Nurse with Care Inn of Abilene, Abilene, Texas, Respondent withdrew medication from the medication dispensing system for patients on days she was not on duty.

On or about March 20, 2015, through April 28, 2015, while employed as a Licensed Vocational Nurse with Care Inn of Abilene, Abilene, Texas, Respondent misappropriated medications belonging to the facility and patients, thereof, or failed to take precautions to prevent such misappropriation.

10. On or about September 9, 2015, Respondent was notified of the following allegations:

On or about June 1, 2015, through June 2, 2015, while employed as a Licensed Vocational Nurse with Merkel Nursing Center, Merkel, Texas, Respondent withdrew medication from the Medication Dispensing System for patients in excess frequency and/or dosage of physicians' orders.

On or about July 13, 2015, while employed as a Licensed Vocational Nurse with Merkel Nursing Center, Merkel, Texas, Respondent misappropriated medications belonging to the facility and patients, thereof, or failed to take precautions to prevent such misappropriation. Additionally, Respondent tampered with the medications by replacing the original pills contained in the blister pack with unidentified replicas of the medication.

11. On or about October 1, 2015, Respondent was notified of the following allegations:

On or about June 1, 2015, through June 2, 2015, while employed as a Licensed Vocational Nurse with Merkel Nursing Center, Merkel, Texas, Respondent withdrew medications from the medication dispensing system for patients, but failed to document, and/or completely and accurately document, the administration of the medications in the patient's Medication Administration Records and/or nurses' notes.

On or about June 1, 2015, through June 2, 2015, while employed as a Licensed Vocational Nurse with Merkel Nursing Center, Merkel, Texas, Respondent withdrew medications from the medication dispensing system for patients, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications.

On or about June 1, 2015, through June 2, 2015, while employed as a Licensed Vocational Nurse with Merkel Nursing Center, Merkel, Texas, Respondent misappropriated medications belonging to the facility or patients thereof, or failed to take precautions to prevent such misappropriation.

12. On or about October 6, 2015, Respondent was notified of the following allegations:

On or about August 28, 2015, through September 9, 2015, while employed as a Licensed Vocational Nurse with Sagebrush Living Center, Stamford, Texas, Respondent withdrew medications from the medication dispensing system for patients, but failed to document and/or completely and accurately document the administration of the medications in the patient's Medication Administration Records and/or nurses' notes.

On or about August 28, 2015, through September 9, 2015, while employed as a Licensed Vocational Nurse with Sagebrush Living Center, Stamford, Texas, Respondent withdrew medications from the medication dispensing system for patients, but failed to follow the facility's policy and procedures for wastage of the unused portions of the medications.

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On or about August 28, 2015, through September 9, 2015, while employed as a Licensed Vocational Nurse with Sagebrush Living Center, Stamford, Texas, Respondent misappropriated medications belonging to the facility or patients thereof, or failed to take precautions to prevent such misappropriation.

On or about August 28, 2015, through September 9, 2015, while employed as a Licensed Vocational Nurse with Sagebrush Living Center, Stamford, Texas, Respondent failed to secure the facility's medications, in that she allowed housekeeping personnel into the medication room while Respondent left to smoke.

13. On October 26, 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 October 23, 2015, is attached and incorporated herein by reference as part of this Order.
14. 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.
15. 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 to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C),(1)(D)&(2) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(G),(6)(H),(8),(10)(B),(10)(C)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 122798, heretofore issued to JUDY BETH ISBELL, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
- ~~6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.~~
7. 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.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 122798, heretofore issued to JUDY BETH ISBELL, 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 vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational 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 October, 2015.

TEXAS BOARD OF NURSING

By:



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

JUDY BETH ISBELL  
3702 ROLLING GREEN DR APT 8207  
ABILENE, TX 79606  
Vocational Nurse License Number 122798

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Judy Isbell  
Date 10-23-15

Vocational Nurse License Number 122798

The State of Texas

Before me, the undersigned authority, on this date personally appeared JUDY BETH ISBELL who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 23rd day of October, 2015.

SEAL

Michelle J. Session  
Notary Public in and for the State of Texas  
County TAYLOR

