



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 854678	§	
issued to AFTON LAREE PITCHFORD	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of AFTON LAREE PITCHFORD, Registered Nurse License Number 854678, 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)(2), (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 December 11, 2015.

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 invalid status.
4. Respondent received an Associate Degree in Nursing from Arkansas Rural Nursing Education Consortium, Nashville, Arkansas, on December 1, 2011. Respondent was licensed to practice professional nursing in the State of Texas on April 28, 2014.
5. Respondent's nursing employment history is unknown.
6. On or about May 7, 2015, Respondent's Arkansas registered and practical nurse licenses were placed on Probation by the Arkansas State Board of Nursing, Little Rock, Arkansas. A copy of the Arkansas State Board of Nursing's Consent Agreement dated May 7, 2015, is attached and incorporated, by reference, as part of his pleading.

7. On or about October 9, 2015, Respondent submitted a renewal application to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following question:

"Has any licensing authority ever refused to issue a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a license, certificate, or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded, or otherwise disciplined you?"

Respondent failed to disclose that on or about May 7, 2015, her Arkansas registered and practical nurse licenses were placed on Probation by the Arkansas State Board of Nursing, Little Rock, Arkansas.

8. Regarding the conduct outlined in Finding of Fact Number Six (6), Respondent states that she entered into the Consent Agreement with the Arkansas State Board of Nursing because she felt it was her only choice at the time as she was not financially able to seek legal counsel. She takes full responsibility for refusing to submit to the a urine drug screen but feels the allegations in the Consent Agreement are not correct. Regarding the conduct outlined in Finding of Fact Number Seven (7), Respondent explains that she self-reported the Arkansas Consent Agreement to the Board when she moved to Texas, and she states that she is at fault for not following up on the letter. Respondent explains that when she applied for reactivation with the Texas Board, she read that she was not required to disclose any matter that she had previously disclosed to the Board and therefore did not report it on the application.
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 November 19, 2015.
11. Formal Charges were mailed to Respondent on November 20, 2015.

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(6)(I).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2), (8) & (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 854678, heretofore issued to AFTON LAREE PITCHFORD, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 854678, previously issued to AFTON LAREE PITCHFORD, to practice nursing in Texas is hereby **SUSPENDED** with the suspension **STAYED** and Respondent is hereby placed on **PROBATION**, in accordance with the terms of this Order, for a minimum of three (3) years **AND** until Respondent fulfills the requirements 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. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of entry of this Order. 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.

V. **EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for twelve (12) quarterly periods [three (3) years] of employment. This requirement will not be satisfied until twelve (12) 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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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. **No Night or Rotating Shifts, Overtime, or On-Call:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned.
- E. **No Critical Care:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse in any critical care area. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.
- F. **No Administration of Controlled Medications:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates.
- G. **Indirect Supervision:** For the remainder of the probation period, 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.
- H. **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 twelve (12) quarters [three (3) years] of employment as a nurse.

VI. 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 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 probation 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.

- C. **While under the terms of this Order, RESPONDENT SHALL attend at least two (2) support group meetings each week,** one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month quarterly period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

VII. FURTHER COMPLAINTS

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by

the Board.

VIII. 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

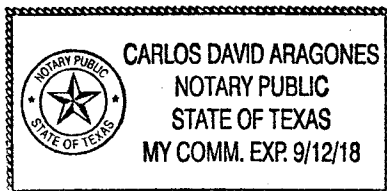
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said 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.

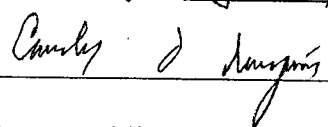
Signed this 4 day of January, 2016.


AFTON LAREE PITCHFORD, Respondent

Sworn to and subscribed before me this 4 day of January, 2016.

SEAL




Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 4th day of January, 2016, by AFTON LAREE PITCHFORD, Registered Nurse License Number 854678, and said Order is final.

Effective this 9th day of February, 2016.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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

BEFORE THE ARKANSAS STATE BOARD OF NURSING

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

CONSENT AGREEMENT

A complaint charging Afton Laree Pitchford (hereinafter referred to as "Respondent") with violations of the Arkansas Nurse Practice Act has been received by the Arkansas State Board of Nursing (hereinafter referred to as "the Board"). In the interest of a prompt and speedy settlement of the above-captioned matter consistent with the public interest, statutory requirements and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law and Order:

I. Findings of Fact

1. Respondent is the holder of Arkansas RN License No. R089968 (expired) and LPN License No. L046609 (expired).
2. Respondent was terminated about November 14, 2013, from Mercy St. Josephs, Hot Springs, Arkansas after refusing to take a reasonable suspicion drug screen because she had taken one of her mother's pain pills before coming to work. According to a report about November 13, 2013 to Terri Dobyns, Nurse Director of 4E, patient-WS, alleged she did not receive intravenous (IV) pain medication the prior two (2) nights. Respondent had documented in the patient's record administration of multiple doses of Dilaudid. About November 14, 2013, Ms. Dobyns interviewed several more patients assigned to

Received

APR 20 2015

ASBN

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

Respondent's care. Respondent had documented administration of Dilaudid, however the patients denied asking for pain medication or receiving IV pain medication.

- Y 3. Respondent, about November 14, 2013, was "observed shutting the nurse server drawer and appeared to have put something in her pocket and went into the nurse's lounge." When Ms. Dobyns entered the nurse's lounge "the bathroom door was shut." Respondent was noted to enter the nurse's station and go to the Omnicell area. Ms. Dobyns heard the sharps container lid close then Respondent badged out of the room. Ms. Dobyns went in and found two (2) 1mg tubexs and two (2) 3cc syringes with needles attached close to the top of the pile in the sharps container. There were no large saline flush syringes normally used for mixing and administering Dilaudid IV. The results of the Narcotic Diversion Investigation by Mercy St. Joseph indicated "suspicion of scanning but not administering narcotic pain medications to patients. Patients denied receipt of medications and nurses on other shifts did not administer any or much less frequently than Respondent." A Report of Theft or Loss of controlled Substances form/Drug Enforcement Agency (DEA) 106 was completed and filed by Mercy St. Joseph for a loss as Employee

Pilferage of the following: Morphine 10mg/ml - 10mg; Hydromorphone 2mg/ml - 11mg;

Hydrocodone/APAP 10/325mg - 1 Tablet and Hydrocodone/APAP 7.5/325mg - 1 Tablet.

- Y 4. Respondent's documentation in eight (8) patient medical records for the date range September 20, 2013 to November 12, 2013 was reviewed by an investigator for Pharmacy

Received

APR 20 2015

ASBN

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

Services, Arkansas Department of Health, Little Rock, Arkansas. The following discrepancies were found:

- An order for Dilaudid PCA 30mg/30ml PCA dose IV, lockout interval of 10 minutes, maximum limit of 0.9mg/hour, no loading dose, no continuous dose, and Dilaudid 1mg/ml IV every two (2) hours as needed for pain. Respondent was the only nurse who administered Dilaudid 1mg IV while the patient was on the Dilaudid PCA.
- About September 24, 2013, a one-time order for Hydrocodone/APAP 7.5/325mg was given at 2145. This dose was administered by nurse-MP. About September 25, 2013 at 0630, Respondent removed one (1) Hydrocodone/APAP 7.5/325mg tablet. There is no documentation of administration or wastage.

UP 5. Respondent removed 4mg Morphine IV for patient-PS about September 25, 2013. There was no physician order for Morphine. Respondent did not document administration or wastage of the morphine.

Y 6. For patient-TE, the physician ordered Hydromorphone 1mg/ml IV every two (2) hours as needed for pain and Acetaminophen/codeine 300/30mg, one (1) tablet every four (4) hours as needed for pain. Respondent administered twenty-four (24) of the thirty-six (36) doses of narcotic analgesics removed for patient-TE. On six(6) occasions, Respondent documented administration of acetaminophen/codeine 300/30mg and Dilaudid 1mg/ml IV at the same time to one (1) hour and twenty-five (25) minutes between times. Respondent was the only nurse to do this and the only nurse to administer Dilaudid IV after the order

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

for Acetaminophen/APAP 300/30mg was received. About October 17, 2013, Respondent removed one (1) Dilaudid 1mg/ml vial. Respondent documented administration of 0.6mg of Dilaudid at 1928, but failed to document the administration or wastage of the remaining 0.4mg Dilaudid.

7. Patient-AS was ordered Hydrocodone/APAP 5/325mg one (1) tablet every four hours as need for pain. The Respondent was the only nurse to administer Hydrocodone/APAP to the patient.

8. For patient-KW, the physician ordered morphine 4 mg/ml, 4mg IV every four (4) hours as needed for pain and Percocet 10/325mg, one (1) tablet every four (4) hours as needed for pain. Respondent was the only nurse who documented administration of Percocet and Morphine to Patient-KW. The timeline indicates: 1930: Percocet 100/325mg, 1 tablet; 2123: Morphine 4mg IV; 2359: Percocet 1 tablet; 0435: Percocet 1 tablet; and at 0621: Morphine 4mg IV.

9. For patient-WS, the physician ordered Dilaudid 1mg/ 1mg IV every two (2) hours as needed. About November 10, 2013, at 2136, Respondent removed one (1) Dilaudid 1mg/ml vial and documented administration at 2144. At 2242, Respondent removed one (1) Morphine 10mg/ml vial and documented administration at 2247. Of the three (3) nurses who documented administration of narcotics for pain, Respondent documented administration ten (10) of the sixteen (16) times.

Received

APR 20 2015

ASBN

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

- UP 10. For patient JL, about October 7, 2013, Respondent removed 1mg of Dilaudid at 1931. Respondent did not document administration or wastage. At 1932, one (1) minute later, Respondent removed Dilaudid 30mg/30ml PCA and documented administration at 1937. About October 13, 2013, Respondent removed one (1) Hydrocodone/APAP 10/325mg tablet but did not document it as administered or wasted. Respondent was the only nurse to continue administration of Dilaudid 1mg IV after the order for Hydrocodone was received.
- UP 11. Respondent indicated to the investigator for Pharmacy Services and to board staff that she refused to take the drug screen because she had taken a Hydrocodone from one of her own prescriptions that was six (6) months old. Respondent never indicated to board staff she had indicated to her employer that she had taken Hydrocodone from her mother. When asked by board staff why she was not forthcoming with this information, she stated she knew she had a prescription for Hydrocodone and just didn't think to state she actually took her mother's medication.

II. Conclusions of Law

- UP 1. Pursuant to Ark. Code Ann. §17-87-203 and §17-87-309, the Board has subject matter and personal jurisdiction in this matter.
- UP 2. The conduct described in the Findings of Fact constitutes a violation of Ark. Code Ann. §17-87-309(a)(4) and (a)(6).

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
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- Y 3. The conduct described in the Findings of Fact constitutes sufficient cause pursuant to Ark. Code Ann. §17-87-309 to suspend, revoke or otherwise discipline a licensee who possesses a nursing license or the privilege to practice nursing in the State of Arkansas.

III. Order

- Y 1. Respondent admits the Board's Findings of Fact and Conclusions of Law.
- Y 2. In lieu of a formal hearing on these issues, Respondent agrees to the issuance of the attached Order and waives all rights to a hearing, appeal or judicial review relating to the Order.
- Y 3. Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.
- Y 4. Respondent understands that those admissions are conclusive evidence of a prior violation of the Arkansas Nurse Practice Act and may be used for the purposes of determining sanctions in any future disciplinary matter.
- Y 5. Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation is waived.
-
- Y 6. Respondent understands as a result of entering into this Consent Agreement that the terms of this agreement become public record and shall be reported to the National Council of State Boards of Nursing Disciplinary Data Bank and the National Practitioner Data Bank.
- Y 7. Respondent understands that this Consent Agreement is effective upon its acceptance by the Board.

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
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ORDER

Y In view of the above Findings of Fact, Conclusions of Law, and the consent of the Respondent, the Board hereby issues the following Order:

Y 1. Respondent consents to the terms and conditions of the Order and waiver of a public hearing is accepted.

Y 2. Respondent's license(s) is (are) placed on probation for four (4) years. Probation is to commence on the effective date of this Order and is subject to the following conditions:

Y a. Respondent must notify each present and future employer in professional nursing of this Order of the Board and the probation conditions on Respondent's license and present to every employer in professional nursing a copy of this Consent Agreement and Order.

Y b. Respondent, if employed as a nurse, must practice under an employer-monitored nurse contract. A copy of the employer-monitored nurse contract and a quarterly Performance Evaluation Report must be submitted by the employer to the Board. It is the responsibility and duty of Respondent to insure that the employer submits these documents in a timely fashion.

Y c. Respondent must work under direct supervision in any setting. Direct supervision requires another nurse to be working in the same setting as Respondent and readily available to provide assistance and intervention.

Received

APR 20 2015

ASBN

IN THE MATTER OF:

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RN LICENSE NO. R089968 (EXPIRED)
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- Y d. Respondent must provide evidence of successful completion of the Board approved course, *The Nurse and Professional Behaviors*, by November 15, 2015.
- Y e. Respondent must immediately notify the Board in writing of any change, even a temporary one, in name, address, or employer.
- Y f. Respondent may not be employed in Home Health, Hospice, or Critical Care. Critical Care includes the areas of ICU, ER, OR, Recovery Room, and Labor and Delivery.
- Y g. Respondent, within one (1) month of this Order, shall provide evidence of continued psychotherapy for opiate and alcohol use disorder in addition to moderate adjustment disorder and depressed mood with a clinical psychologist or psychiatrist with visits as specified by the practitioner. Respondent shall supply a copy of the Board's Order to the practitioner. The report to the Board shall contain evidence that the practitioner knows the reason for the referral. Respondent shall follow the practitioner's recommendations regarding treatment and any support group meetings. Noncompliance with treatment recommendations is considered noncompliance with the Board Order. The practitioner shall specifically advise the Board that the Respondent is presently able to engage in the safe practice of nursing or recommend the conditions, if any, under which safe practice may occur. Respondent shall have the practitioner submit a progress report directly to the Board every three (3) months until discharged by the practitioner. The practitioner and Respondent shall notify the Board if their relationship is terminated for any reason.

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

- h h. Respondent may not work outside the State of Arkansas in another compact licensure state without written permission of the Arkansas State Board of Nursing and the Board of Nursing in the compact licensure state where Respondent wishes to work.
- i i. Respondent shall attend AA/NA, or other Board approved treatment program and must submit quarterly reports to the Board. The Respondent shall provide acceptable evidence of attendance. Acceptable evidence shall consist of completion of the disciplinary form: Aftercare Meetings Report. It is ordered that Respondent shall attend at least one (1) AA/NA or other Board approved support group meeting a week during the period of supervision.
- j j. Respondent must submit to observed random drug screens. The observed drug screens must meet the criteria established by the Board and be conducted through a Board-approved drug screen monitoring program, laboratory, and collection site. Contact must be made with a Board-approved drug screen-monitoring program within five (5) business days of receipt of this Order. Respondent cannot submit specimens at Respondent's place of employment or practice site. Respondent cannot collect any drug screen ordered by the Board of Nursing. Respondent must contact the drug screening company daily. If selected for testing, Respondent shall present for a drug screen the same day of the notification and shall have two (2) hours to have the specimen collected. Respondent shall abstain at all times from the use of controlled or abuse potential substances, including alcohol and products that contain alcohol. Respondent shall not consume hemp, poppy seeds,

IN THE MATTER OF:

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RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

or any product or by-product containing the same. Short-term treatment may be allowed for an acute illness or acute condition. Short-term treatment is considered a course of treatment that is limited in duration. The Respondent shall notify board staff in writing immediately of any acute illness or acute condition that is diagnosed and treated. Any controlled or abuse potential substances that are administered or prescribed and dispensed to the Respondent shall be reported to board staff in writing within ten (10) days of the practitioner's order. It is the responsibility and duty of Respondent to insure that the prescribing practitioners submit their written reports in a timely fashion. Failure of the Respondent to have the practitioner notify board staff in writing of treatment obtained or proposed shall be considered non-compliance and may result in additional disciplinary action on licensure and privilege to practice nursing.

Y k. Respondent is responsible for submitting a personal report to accompany required data to the Board on a quarterly basis.

Y l. Respondent's responsibility is to insure that all reports are submitted to the Board on a quarterly basis.

Y m. Respondent shall execute any release necessary to give the Board of Nursing access to records, including but not limited to medical, employment and criminal records. Failure to execute a release shall be grounds for disciplinary action against Respondent's nursing license/privilege.

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

- Y n. Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
- Y o. All costs involved in complying with this Order shall be borne by Respondent.
- Y p. Failure to comply with a signed Consent Agreement may result in the suspension of the nurse's license to practice nursing in this state.
- Y q. Verification of termination of the probationary period shall be requested in a letter to the Board.
- Y 3. In addition to the probation imposed above, Respondent shall pay a fine of \$3,100.00 pursuant to Ark. Code Ann. §17-87-104(b)(1). Such fine will be payable within fifteen (15) days of receipt of this Order or a payment schedule must be submitted within fifteen (15) days to the Arkansas State Board of Nursing.

I HAVE INITIALED EACH NUMBERED OR LETTERED PARAGRAPH OF THE PROPOSED CONSENT AGREEMENT AND ORDER AS PROOF THAT I HAVE READ IT, UNDERSTAND IT, AND DO NOT WISH TO CONTACT THE ARKANSAS STATE BOARD OFFICE FOR FURTHER EXPLANATION. I ACCEPT THE PROPOSED CONSENT AGREEMENT AND ORDER AS STATED.

State of Arkansas)
County of Faulkner)ss

Afton Pitchford
RESPONDENT'S SIGNATURE
4-15-15
DATE

Subscribed and Sworn to before me, a Notary Public, on this 15th day of April, 2015
_____, 2015. Suzan Bradley

Notary Public

Suzan Bradley
Notary Public - Arkansas
Faulkner County
Commission #12388052
My Commission Exp. 05/15/2022

Received

APR 20 2015

ASBN

IN THE MATTER OF:

AFTON LAREE PITCHFORD

RN LICENSE NO. R089968 (EXPIRED)
LPN LICENSE NO. L046609 (EXPIRED)

My Commission Expires:

5-15-2022

Suzan Bradley
Notary Public - Arkansas
Faulkner County
Commission #12388052
My Commission Exp. 05/15/2022

ARKANSAS STATE BOARD OF NURSING

By:

Shela Upshaw RN

Shela Upshaw, RN, President

Dated:

May 7, 2015

Received

APR 20 2015

ASBN