



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 A. Johnson
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Vocational Nurse License Number 219894 §
issued to TIFFANIE JOANN SLAY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TIFFANIE JOANN SLAY, Vocational Nurse License Number 219894, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

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 vocational nurse in the State of Texas is in suspended status.
4. Respondent received a Certificate in Vocational Nursing from Vernon College at Wichita Falls, Wichita Falls, Texas on December 11, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on January 13, 2009.
5. Respondent's nursing employment history includes:

01/2009 - 11/2009	LVN	Hamilton Hospital Olney, Texas
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Respondent's nursing employment history continued:

12/2009 - 01/2010	LVN	Heritage Oaks Nursing and Rehabilitation Lubbock, Texas
01/2010 - 05/2010	LVN	Southern Specialty Nursing and Rehabilitation Lubbock, Texas
06/2010 - 07/2010	LVN	Graham Oaks Care Center Graham, Texas
08/2010 - 10/2010	LVN	Walmart Lubbock, Texas
10/2010 - 03/2011	LVN	LakeRidge Nursing and Rehabilitation Center Lubbock, Texas
03/2011 - 06/2013	LVN	Grace Care Center Wichita Falls, Texas
10/2012 - 03/2014	LVN	Correctional Healthcare Company Greenwood Village, Colorado
03/2014 - 04/2014	LVN	Archer City Nursing Center Archer City, Texas
05/2014 - present	Unknown	

6. On July 15, 2014, Respondent was issued a Confidential Agreed Order for Peer Assistance Program by the Texas Board of Nursing. Respondent did not successfully complete the terms of the order. A copy of the Findings of Fact, Conclusions of Law, and Order dated July 15, 2014, are attached and incorporated, by reference, as part of this Order.
7. On or about October 30, 2015, Respondent became noncompliant with the Confidential Agreed Order for Peer Assistance Program issued to her by the Texas Board of Nursing on July 15, 2014. Noncompliance is the result of her failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) participation agreement, in that she failed to abstain from the consumption of a controlled substance. On or about October 13, 2015, Respondent produced a urine specimen for a random drug screen that resulted positive for Tramadol. Stipulation Number Three (3) of the Confidential Agreed Order for Peer Assistance Program dated July 15, 2014, states:

"(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation

agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current."

On or about October 30, 2015, Respondent was dismissed from TPAPN and referred back to the Board.

8. Formal Charges were filed and Respondent's license to practice vocational nursing in the State of Texas were temporarily suspended on February 16, 2016.
9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.
10. 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.
11. 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 22 TEX. ADMIN. CODE §217.12(5),(9)(11).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 219894, heretofore issued to TIFFANIE JOANN SLAY, 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.
6. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

7. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
8. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Vocational Nurse License Number 219894, heretofore issued to TIFFANIE JOANN SLAY, to practice nursing in the State of Texas, is accepted by 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 "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:
 - A. One (1) year has elapsed from the date of this Order; and,
 - B. 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.

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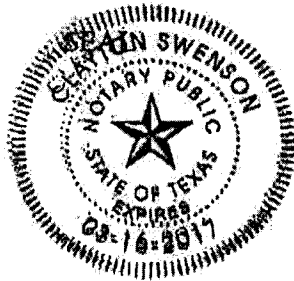
RESPONDENT'S CERTIFICATION

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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 29 day of February, 2014.

Tiffany Joann Slay
TIFFANIE JOANN SLAY, Respondent

Sworn to and subscribed before me this 29 day of February, 2014.



[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 accept the voluntary surrender of Vocational Nurse License Number 219894, previously issued to TIFFANIE JOANN SLAY.

Effective this 29th day of February, 2016.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Vocational Nurse License Number 219894
issued to TIFFANIE JOANN SLAY

§ CONFIDENTIAL
§ AGREED ORDER FOR
§ PEER ASSISTANCE PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TIFFANIE JOANN SLAY, Vocational Nurse License Number 219894, 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)&(13) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered under the authority of Section 301.466(d), Texas Occupations Code, and approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 28, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Vernon Regional Junior College, Wichita Falls, Texas, on December 11, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on January 13, 2009.

5. Respondent's nursing employment history includes:

01/2009 - 11/2009	LVN	Hamilton Hospital Olney, Texas
12/2009 - 01/2010	LVN	Heritage Oaks Nursing and Rehabilitation Lubbock, Texas
01/2010 - 05/2010	LVN	Southern Specialty Nursing and Rehabilitation Lubbock, Texas
06/2010 - 07/2010	LVN	Graham Oaks Care Center Graham, Texas
08/2010 - 10/2010	LVN	Walmart Lubbock, Texas
10/2010 - 03/2011	LVN	LakeRidge Nursing and Rehabilitation Center Lubbock, Texas
03/2011 - 06/2013	LVN	Grace Care Center Wichita Falls, Texas
10/2012 - 03/2014	LVN	Correctional Healthcare Company Greenwood Village, Colorado
03/2014 - 04/2014	LVN	Archer City Nursing Center Archer City, Texas
05/2014 - Present	Unemployed	

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Correctional Healthcare Company, Greenwood Village, Colorado, and had been in this position for approximately one (1) year and five (5) months.
7. On or about March 16, 2014, while employed as a Licensed Vocational Nurse with Correctional Healthcare Company, Greenwood Village, Colorado, Respondent removed Dilaudid from the medication dispensing system 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 and was likely to deceive the hospital pharmacy. Furthermore, Respondent's conduct placed the pharmacy in violation of Chapter 481 (Controlled Substances Act).
8. On or about March 16, 2014, while employed as a Licensed Vocational Nurse with Correctional Healthcare Company, Greenwood Village, Colorado, Respondent misappropriated Dilaudid from the hospital and patients thereof or failed to take precautions

to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients thereof of the cost of the medications.

9. On or about March 16, 2014, while employed as a Licensed Vocational Nurse with Correctional Healthcare Company, Greenwood Village, Colorado, Respondent engaged in the intemperate use of Codeine in that she submitted a specimen for a reasonable suspicion drug screen which resulted positive for Codeine. The use of narcotics by a Licensed Vocational Nurse could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger. (Reminder: add specifics once you receive UDS)
10. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent states she was counting the narcotic drawer and was startled by a staff member and that caused her to spill her soda on the medication cart. Respondent states a co-worker witnessed her placing the paper towel with the Dilaudid paste in the sharps container. Respondent states she had been having severe dental pain and a family member gave her Tylenol #3.
11. The Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
12. 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.
13. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
14. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(T) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B), (1)(E),(4), (6)(G),(8),(10)(A),(10)(C)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(13), Texas Occupations Code, to take disciplinary action against , Vocational Nurse License Number 219894, heretofore issued to TIFFANIE JOANN SLAY, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.

5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that, while RESPONDENT remains in compliance with the terms of this Order, this Order shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should Respondent fail to successfully complete the terms of this Order or should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY 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.

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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. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10th day of July, 2014.

Tiffanie Joann Slay
TIFFANIE JOANN SLAY, RESPONDENT

Sworn to and subscribed before me this 10 day of July, 2014.

SEAL



Evelyn Hernandez
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 accept and enter the Confidential Agreed Order for Peer Assistance Program that was signed on the 10th day of July, 20 14, by TIFFANIE JOANN SLAY, Vocational Nurse License Number 219894, and said Order is final.

Entered and effective this 15th day of July, 20 14.



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