



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. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 846105 §
issued to LINDA JOYCE LEE §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 846105, issued to LINDA JOYCE LEE, 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's license to practice professional nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Community College of Baltimore County, Baltimore, Maryland, on June 1, 1977. Respondent was licensed to practice professional nursing in the State of Texas on October 18, 2013.

4. Respondent's nursing employment history includes:

9/77 - 4/78	Staff Nurse	Baltimore City Hospital Baltimore, Maryland
4/78 - 9/80	Staff Nurse	private hospital Baltimore, Maryland

Respondent's nursing employment history continued:

1/79 - 12/86	Home Health Nurse	Favorite Nurses Baltimore, Maryland
9/80 - 9/82	Staff/Charge Nurse	Johns Hopkins Hospital Baltimore, Maryland
9/82 - 5/84	Float Nurse	Sinai Hospital Baltimore, Maryland
6/84 - 9/84	Camp Nurse	Camp Norway Ely, Vermont
10/84 - 11/85	Staff Nurse	Veterans Administration Medical Center Fort Howard, Maryland
12/85 - 12/87	Occupational Health Nurse	Bethlehem Steel Corporation Baltimore, Maryland
12/87 - 10/98	Staff/Charge Nurse	Greater Baltimore Medical Center Baltimore, Maryland
11/98 - 3/02	Travel Nurse	TravCorp Boca Raton, Florida
2/02 - 2/04	Agency Nurse	Progressive Care Nursing Agency Baltimore, Maryland
6/03 - 4/04	Travel Nurse	O'Grady and Payton Agency Ketchikan, Alaska
6/04 - 12/07	Travel Nurse	RN Network Agency Boca Raton, Florida
9/04 - 7/05	Travel Nurse	Medical Staffing Network, Inc. North Fort Myers, Florida
6/06 - 9/06	Agency Nurse	Kahu Malama Nurses Honolulu, Hawaii

Respondent's nursing employment history continued:

12/07 - 12/10	Staff Nurse	Golf Coast Medical Center Fort Myers, Florida
12/10 - 6/11	Case Manager/ Social Worker	Cape Coral Hospital Cape Coral, Florida
6/11 - 8/12	Staff Nurse	Cape Coral Hospital Cape Coral, Florida
9/12 - 2/13	Travel Nurse	TaleMed Loveland, Ohio
4/13 - Unknown	Director of Nursing	Consult-A-Nurse Healthcare Referral Fort Myers, Florida

5. On June 16, 2015, Respondent was issued the sanction of a Warning with Stipulations through an Agreed Order by the Board. A copy of the Finding of Fact, Conclusions of Law and Order dated June 16, 2015, is attached and incorporated herein by reference as part of this Order.

6. On or about June 17, 2016, Respondent failed to comply with the Agreed Order issued to her on June 16, 2015, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number III, subsection A. which states, in pertinent part:

...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 Board-approved course in Texas nursing jurisprudence and ethics....**

7. On or about June 17, 2016, Respondent failed to comply with the Agreed Order issued to her on June 16, 2015, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number III, subsection B. which states, in pertinent part:

...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 Board approved course in medication administration...**

8. On or about June 17, 2016, Respondent failed to comply with the Agreed Order issued to her on June 16, 2015, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number III, subsection C. which states, in pertinent part:

...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 Board approved course in nursing documentation...**

9. On or about June 17, 2016, Respondent failed to comply with the Agreed Order issued to her on June 16, 2015, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number III, subsection D. which states, in pertinent part:

...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: The course "Sharpening Critical Thinking Skills," ...**

10. On August 9, 2016, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas in lieu of complying with the Agreed Order issued to her on June 16, 2015, by the Texas Board of Nursing. A copy of Respondent's notarized statement, dated August 3, 2016, is attached and incorporated herein by reference as part of this Order.

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(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) and (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 846105, heretofore issued to LINDA JOYCE LEE, 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 Registered Nurse License Number 846105, heretofore issued to LINDA JOYCE LEE, to practice nursing in the State of Texas, is/are accepted by the Executive Director on behalf of the Texas Board of Nursing.


In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation RN or wear any insignia identifying registered nurse as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a/an registered nurse during the period in which the license/s is/are surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: at least one (1) year has elapsed from the date of this Order.
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 9th day of August, 2016.

TEXAS BOARD OF NURSING

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

Texas Board of Nursing
Katherine A Thomas MN RN FAAN
333 Guadalupe #3-460
Austin, Texas 78701

RE: VOLUNTARY SURRENDER OF NURSING LICENSE

LINDA JOYCE LEE
11723 Island Ave
Matlacha, FL 33993
239-565-9610
Llee.rn@aol.com or skutchey08@yahoo.com
SS#: 214-58-5281
License No.: 846105

The undersigned holder of licensure to practice nursing in the State of Texas hereby freely, knowingly and voluntarily surrenders said license to the Texas Board of Nursing. I further understand that this surrender shall have the same effect as a revocation of my license, and I knowingly forfeit and relinquish all right, title and privilege of practicing nursing in the state of Texas.

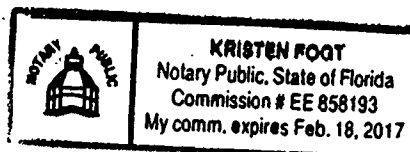
This voluntary surrender shall become effective immediately upon acceptance thereof by the Texas Board of Nursing. I understand that this document will be considered to be a public record entered as the final disposition of disciplinary proceedings presently pending against me, that this action shall be considered to be and may be recorded as a Final Order of the Board, and that this action will be reported as a disciplinary action to all required data banks.

Signed this 3 day of Aug 2016

Linda Joyce Lee

Linda Joyce Lee

STATE OF FLORIDA
COUNTY OF SARASOTA
The foregoing instrument was acknowledged before me this 3 day of August, 2016 by Linda J. Lee
Personally Known OR Produced Identification
Type of Identification Produced fepl
Notary's Signature Kristen Foot



BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 846105 §
issued to LINDA JOYCE LEE § 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.
Katherine A. Thomas
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of LINDA JOYCE LEE, Registered Nurse License Number 846105, 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)(10)&(13), 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 March 6, 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 current status.
4. Respondent received an Associate Degree in Nursing from Community College of Baltimore County - Dundal, Baltimore, Maryland on June 1, 1977. Respondent was issued a temporary license to practice professional nursing in the State of Texas which was valid from November 29, 2012 through March 29, 2013 and was issued a permanent license to practice professional nursing in the State of Texas on October 18, 2013.
5. Respondent's nursing employment history includes:

09/77 -04/78	Staff Nurse	Baltimore City Hospital Baltimore, Maryland
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Respondent's nursing employment history continued:

04/78 - 09/80	Staff RN/ICU	private hospital Baltimore, Maryland
01/79 - 12/86	Home Health Nurse	Favorite Nurses Baltimore, Maryland
09/80 - 09/82	Staff Nurse/ Charge Nurse	Johns Hopkins Hospital Baltimore, Maryland
09/82 - 05/84	Float RN/ICU Med/Surg	Sinai Hospital Baltimore, Maryland
06/84 - 09/84	Camp Nurse	Camp Norway Ely, Vermont
10/84 - 11/85	Staff Nurse/ICU Med/Surg	Veterans Administration Medical Center Fort Howard, Maryland
12/85 - 12/87	Occupational Health Nurse	Bethlehem Steel Corporation Baltimore, Maryland
12/87 - 10/98	Staff Nurse/ Charge Nurse	Greater Baltimore Medical Center Baltimore, Maryland
11/98 - 03/02	Travel Nurse	TravCorp Boca Raton, Florida
02/02 - 02/04	Agency Nurse	Progressive Care Nursing Agency Baltimore, Maryland
06/03 - 04/04	Travel Nurse	O'Grady and Payton Agency Ketchikan, Alaska
06/04 - 12/07	Travel Nurse	RN Network Agency Boca Raton, Florida
09/04 - 07/05	Travel Nurse	Medical Staffing Network, Inc. North Fort Myers, Florida
06/06 - 09/06	Agency Nurse	Kahu Malama Nurses Honolulu, Hawaii

Respondent's nursing employment history continued:

12/07 - 12/10	Staff Nurse/ER	Gulf Coast Medical Center Fort Myers, Florida
12/10 - 06/11	Case Manager/ Social Worker	Cape Coral Hospital Cape Coral, Florida
06/11 - 08/12	Staff Nurse/ICU/ER	Cape Coral Hospital Cape Coral, Florida
09/12 - 02/13	Travel Nurse	TaleMed Loveland, Ohio
04/13 - Present	Director of Nursing	Consult-A-Nurse Healthcare Referral Fort Myers, Florida

6. At the time of the initial incident, Respondent was employed as a Travel Nurse with TaleMed, Loveland, Ohio, and assigned to Conroe Regional Medical Center, Conroe, Texas, and had been on that assignment for two (2) months.
7. During January 8, 2013, through January 28, 2013, while employed with TaleMed, Loveland, Ohio, and on assignment with Conroe Regional Medical Center, Conroe, Texas, Respondent withdrew Morphine, Hydrocodone, Hydromorphone and Alprazolam from the Acudose-RX Medication Dispensing System for patients, but failed to accurately and completely document the medication, including failing to scan the medications, as follows:

Date/ Time	PATIENT	PYXIS RECORD	PHYSICIAN'S ORDER	MAR	Scanning
1/8/2013 @2229	BH9017212088	Hydromorphone 1mg	Hydromorphone HCL 1mg/ml 1mg STAT	2233 1mg	Med not scanned
1/10/2013 @0002	BH9017216060	Morphine Sulfate 4mg	Morphine Sulfate 4mg IV Q 4 hrs PRN pain	0009 4mg	Med not scanned
1/16/2013 @2039	BH9017237054	Alprazolam 0.25 mg	Alprazolam 0.25 mg tab PO STAT	No	Med not scanned
1/18/2013 @0449 @0635	BH9017240902	Hydrocodone 5mg	Hydrocodone/Bitar 5/325mg tab (Norco 5/325 tab) PO Q 6 hrs PRN pain	0452- 2tabs	Med not scanned
1/21/2013 @1913	BH9017249718	Hydrocodone 5mb	Hydrocodone/Bitar 5/325mg tab (Norco 5/325 tab)	1918	Med not scanned
1/22/2013 @2017	BH9017254497	Morphine Sulfate 2mg	Morphine Sulfate 2mg Syringe X1 IV in ED Stat	2021 2mg	Med not scanned
1/28/2013 @1957	BH9017272977	Morphine Sulfate 4mg	Morphine Sulfate 4mg Syringe IV X1 in ER	2016	Med not scanned

Respondent's conduct resulted in an incomplete record which was likely to deceive subsequent care-givers who relied on the documentation to further medicate the patients which could have resulted in over-medication and in addition, failure to scan the medications could have resulted in medication errors.

8. On or about January 31, 2013, while employed with TaleMed, Loveland, Ohio, and on assignment with Conroe Regional Medical Center, Conroe, Texas, Respondent administered Haloperidol (Haldol) to a patient instead of Droperidol as ordered by the physician. Respondent failed to scan the medication prior to administering the medication to the patient. Respondent's conduct exposed the patient unnecessarily to a risk of harm from adverse reactions to the medication which was not ordered by the physician.
9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states "If I made an error, it would have been in the scanning or recording aspects...I was still having some difficulty with the scanning process. . . ." Regarding the medication error, Respondent admits to her error in administering Haloperidol to a patient instead of Droperidol. She states that she correctly entered the order into the Acudose-RN to dispense Droperidol 5mg. She looked at the vial and failed to see that the machine had been incorrectly loaded with Haloperidol 5mg.

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)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B), (1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 846105, heretofore issued to LINDA JOYCE LEE.
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 that RESPONDENT SHALL receive the sanction of **WARNING 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. **A Board-approved course in medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- D. 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 four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) 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 four (4) quarters [one (1) year] of employment as a nurse.

V. 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 5th day of May, 2015.


LINDA JOYCE LEE, Respondent



Sworn to and subscribed before me this 5th day of May, 2015.

SEAL


Notary Public in and for the State of Fla.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of May, 2015, by LINDA JOYCE LEE, Registered Nurse License Number 846105, and said Order is final.

Effective this 16th day of June, 2015.



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