



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

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In the Matter of § AGREED  
Registered Nurse License Number 719185 §  
& Vocational Nurse License Number 188931 §  
issued to JEANNE KAY SOUTHARD § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JEANNE KAY SOUTHARD, Registered Nurse License Number 719185 and Vocational Nurse License Number 188931, 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 inactive status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Paris Junior College, Paris, Texas, on May 9, 2003, and received an Associate Degree from Paris Junior College, Paris, Texas, on May 25, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on June 2, 2003, and was licensed to practice professional nursing in the State of Texas on July 21, 2005.

5. Respondent's nursing employment history includes:

|                   |         |   |
|-------------------|---------|---|
| 06/2003 - 03/2008 | LVN/RN  | Presbyterian Hospital of Greenville<br>Greenville, Texas      |
| 03/2007 - 03/2008 | RN      | Greenville Ambulatory Physician's Center<br>Greenville, Texas |
| 03/2008 - 11/2015 | RN      | Lake Pointe Medical Center<br>Rowlett, Texas                  |
| 12/2015 - Present | Unknown |   |

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Lake Pointe Medical Center, Rowlett, Texas, and had been in that position for seven (7) years and eight (8) months.
7. On or about November 11, 2015 while employed as a Registered Nurse with Lake Pointe Medical Center, Rowlett, Texas, Respondent withdrew one (1) syringe of Fentanyl 100mcg and one (1) syringe of Hydromorphone 2mg from the medication dispensing system for Patient E.M. without a valid physicians order, Respondent's conduct was likely to injure the patients, in that the administration of medication without a valid physician's order could result in the patients suffering from adverse reactions, and Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about November 10, 2015, through November 17, 2015, while employed as a Registered Nurse with Lake Pointe Medical Center, Rowlett, Texas, Respondent withdrew four (4) syringes of Fentanyl 100mcg, one (1) syringe of Meperidine 25mg, and one (1) syringe of Hydromorphone 2mg, from the medication dispensing system for Patient M.O., Patient D.C., and Patient J.V., and failed to document or completely and accurately document the administration of the medications in the patient's Medication Administration Records and/or nurses' 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 would 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.
9. On or about November 11, 2015, while employed as a Registered Nurse with Lake Pointe Medical Center, Rowlett, Texas, Respondent withdrew one (1) syringe of Fentanyl 100mcg and one (1) syringe of Hydromorphone 2mg from the medication dispensing system for Patient E.M. who was not in the recovery room where Respondent was assigned. Respondent's conduct was likely to injure the patients in that Respondent had not taken report on the patients and was unaware of the patients' current conditions. In addition, Respondent's conduct was likely to deceive the pharmacy and patient of the cost of the medication.

10. On or about November 10, 2015, through November 17, 2015, while employed as a Registered Nurse with Lake Pointe Medical Center, Rowlett, Texas, Respondent withdrew five (5) syringes of Fentanyl 100mcg, one (1) syringe of Meperidine 25mg, and two (2) syringes of Hydromorphone 2mg from the medication dispensing system for Patient M.O., Patient E.M., Patient D.C., and Patient J.V., and failed to follow the facility's policy and procedures for wastage of the unused portions of the medications. Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
11. On or about November 10, 2015, through November 17, 2015, while employed as a Registered Nurse with Lake Pointe Medical Center, Rowlett, Texas, Respondent misappropriated five (5) syringes of Fentanyl 100 mcg, one (1) syringe of Meperidine 25mg, and two (2) syringes of Hydromorphone 2mg, from Patient M.O., Patient E.M., Patient D.C., and Patient J.V., belonging to the facility or patients thereof or failed to take precautions to prevent the misappropriation of medications. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
12. In response to Finding of Fact Number Seven (7) through Eleven (11), Respondent denies removing controlled substances without physician's orders, failing to waste, and misappropriating medications. Respondent states the facility's new computer system was confusing and there were glitches in the system. Respondent admits to accidentally removing medications for patients she was not assigned to, and states this happened to all nurses.
13. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her licenses to practice nursing in the State of Texas.
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),(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),6(G),(8),(10)(C)(10)(E),(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 Registered Nurse License Number 719185 and Vocational Nurse License Number 188931, heretofore issued to JEANNE KAY SOUTHARD, 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 Registered Nurse License Number 719185 and Vocational Nurse License Number 188931, heretofore issued to JEANNE KAY SOUTHARD, 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 professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. 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.

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
  - A. At least 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 for reinstatement.
4. 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

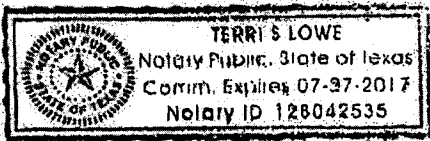
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said 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 30 day of January, 2017.  
Jeanne Kay Southard  
JEANNE KAY SOUTHARD, Respondent

Sworn to and subscribed before me this 30 day of January, 2017.

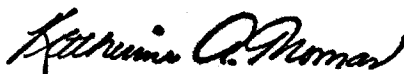
SEAL

Terry Lowe  
Notary Public in and for the State of 7-27-17



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept the voluntary surrender of Registered Nurse License Number 719185 and Vocational Nurse License Number 188931, previously issued to JEANNE KAY SOUTHARD.

Effective this 31st day of January, 20 17.



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