



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 Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 789372	§	
& Vocational Nurse License Number 200475	§	
issued to ASHLEY RONEE JACKSON	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ASHLEY RONEE JACKSON, Registered Nurse License Number 789372 and Vocational Nurse License Number 200475, 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),(12)&(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 December 13, 2016.

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 current 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 South Plains College, Levelland, Texas, on August 19, 2005, and received an Associate Degree in Nursing from South Plains College, Levelland, Texas, on May 13, 2010. Respondent was licensed to practice vocational nursing in the State of Texas on September 27, 2005, and was licensed to practice professional nursing in the State of Texas on July 20, 2010.

5. Respondent's nursing employment history includes:

08/05 - 05/10	LVN	Covenant Hospital Plainview Plainview, Texas
05/10 - 11/11	RN	Covenant Hospital Plainview Plainview, Texas
12/11 - 08/12	RN	Northwest Texas Healthcare System Amarillo, Texas
09/12 - 04/14	RN	Grifols Biomat USA/Talecris Amarillo, Texas
05/14	Unknown	
06/14 - 11/14	RN	Covenant Health Lubbock, Texas
12/14 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Covenant Health, Lubbock, Texas, and had been in that position for four (4) months.
7. On or about October 7, 2014, through October 20, 2014, while employed as a Registered Nurse with Covenant Health, Lubbock, Texas, Respondent withdrew one (1) vial of Hydrocodone/Chlorpheniramine 5mg, one (1) tablet of Zolpidem, two (2) vials of Hydromorphone 2mg, one (1) vial of Morphine 5mg, one (1) tablet of Lorazepam, and one (1) tablet of Hydrocodone/Acetaminophen 10/325mg from the medication dispensing system for patients, but failed to document, and/or completely and accurately document the administration of the medication in the patients' 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 could result in an overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about October 7, 2014, through October 20, 2014, while employed as a Registered Nurse with Covenant Health, Lubbock, Texas, Respondent withdrew one (1) vial of Hydrocodone/Chlorpheniramine 5mg, one (1) tablet of Zolpidem, two (2) vials of Hydromorphone 2mg, one (1) vial of Morphine 5mg, one (1) tablet of Lorazepam, and one (1) tablet of Hydrocodone/Acetaminophen 10/325mg from the medication dispensing system for patients, but failed to follow the facility's policy and procedures for wastage of the unused portions of the medications. Respondent's conduct left medication 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.

9. On or about October 7, 2014, through October 20, 2014, while employed as a Registered Nurse with Covenant Health, Lubbock, Texas, Respondent misappropriated one (1) vial of Hydrocodone/Chlorpheniramine 5ml and one (1) tablet of Zolpidem 10mg from Patient Medical Record Number MA0085396862, one (1) vial of Hydromorphone 0.1mg from Patient Medical Record Number MA0085417134, one (1) vial of Morphine 2mg from Patient Medical Record Number MA0085309030, one (1) vial of Hydromorphone 0.5mg from Patient Medical Record Number MA0085503766, one (1) vial of Lorazepam 2mg from Patient Medical Record Number MA0085473875, and one (1) tablet of Hydrocodone/Acetaminophen 10/325mg from Patient Medical Record Number MA0085543504, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. On or about November 7, 2014, while employed as a Registered Nurse with Covenant Health, Lubbock, Texas, Respondent engaged in the intemperate use of synthetic marijuana (K2), in that she reported to her nurse manager and the hospital's Employee Assistance Counselor that she was a Synthetic Marijuana (K2) user. Possession of Synthetic Marijuana (K2) is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health & Safety Code. The use of Synthetic Marijuana (K2) by a Registered Nurse and Licensed Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms, or changes in a patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing a patient in potential danger.
11. On or about February 2, 2015, while licensed as a Registered and Vocational nurse in the State of Texas, Respondent lacked fitness to practice nursing, in that she sought treatment for substance use disorder at The Ranch at Dove Tree, Lubbock, Texas. Respondent completed treatment on March 6, 2015. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in the patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing the patients in potential danger.
12. In response to Findings of Fact Numbers Seven (7) through Eleven (11), Respondent states she became addicted to synthetic marijuana in 2012,. Respondent denies ever going to work under the influence, but admits her drug use had a profound effect on her memory, personality, and organizational skills. Respondent states she would waste medication, but would forget to document her waste, and at other times, would accidentally leave from work with the medication in her pocket. Respondent denies ever withdrawing medication for her personal use. Respondent completed an intensive outpatient program and a twenty-eight (28) day inpatient program.

13. 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.
14. Formal Charges were filed on April 27, 2016.
15. Formal Charges were mailed to Respondent on May 2, 2016.
16. 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.
17. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
18. 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 substance use disorder.
19. 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 301.451-301.555 , 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) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(5),(6)(G),(8),(10)(A),(10)(C),(10)(E)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 789372 and Vocational Nurse License Number 200475, heretofore issued to ASHLEY RONEE JACKSON, 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. 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.

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 789372 and Vocational Nurse License Number 0, previously issued to ASHLEY RONEE JACKSON, to practice nursing in Texas are hereby **SUSPENDED** and said suspension is **ENFORCED** until Respondent:

- A. **Applies to, is accepted into, and completes enrollment in the Texas Peer Assistance Program for Nurses (TPAPN)**, including payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00); and
- B. **Waives confidentiality and provides a copy of the fully executed TPAPN participation agreement to the Board.**

IT IS FURTHER AGREED, upon verification of successful completion of the above requirements, the Suspension will be **STAYED**, and RESPONDENT will be placed on **PROBATION** for such a time as is required for RESPONDENT to successfully complete the TPAPN **AND** until Respondent fulfills the additional requirements of this Order.

- C. RESPONDENT SHALL pay all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- D. 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.
- E. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.
- F. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

- G. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- H. 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 suspension being stayed:

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.

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. 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.

V. EFFECT OF NONCOMPLIANCE

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 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.

VI. 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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 entry of this Order and all conditions of said 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 4th day of February, 2017.

Ashley Jackson
ASHLEY RONEE JACKSON, Respondent

Sworn to and subscribed before me this 4 day of February, 2017.

SEAL

Blair
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 ratify and adopt the Agreed Order that was signed on the 4th day of February, 20 17, by ASHLEY RONEE JACKSON, Registered Nurse License Number 789372 and Vocational Nurse License Number 200475, and said Order is final.

Effective this 7th day of February, 20 17.



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