



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 571373	§	
& Vocational Nurse License Number 129347	§	
issued to DEE ANN KLEYPAS	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEE ANN KLEYPAS, Registered Nurse License Number 571373 and Vocational Nurse License Number 129347, 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), 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 9, 2017.

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 delinquent 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 Nursing from McLennan Community College, Waco, Texas, on August 17, 1990, and received an Associate Degree in Nursing from McLennan Community College, Waco, Texas, on May 1, 1991. Respondent was licensed to practice professional nursing in the State of Texas on November 28, 1990, and was licensed to practice vocational nursing in the State of Texas on August 26, 1991.

5. Respondent's nursing employment history includes:

08/90 - 07/94	RN	Scott and White Hospital Waco, Texas
07/94 - 05/96	RN	Caremark Infusion Therapy Unknown
06/96 - 06/98	Unknown	
07/98 - 07/00	RN	Providence Hospital Waco, Texas
07/00 - 07/03	RN	Midway High School Waco, Texas
08/03	Unknown	
09/03 - 10/07	RN	Waco Gastroenterology Waco, Texas
10/07 - Present	RN	Midway Independent School District Waco, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Midway Independent School District, Waco, Texas, and had been in that position for four (4) years and three (3) months.
7. On or about January 2012 through December 2015, while employed as a Registered Nurse with Midway Independent School District, Woodway, Texas, Respondent misappropriated over-the-counter medications belonging to students, in that the medications were found in her home. Respondent's conduct was likely to defraud the students of the cost of the medications.
8. In response to Finding of Fact Number Seven (7), Respondent states it has been the practice of all of the district's school clinics at the end of the year to allow its nurse staff to take home over-the-counter, non-controlled medications that were provided by families during the school year and are not picked up by the last day of school. Respondent states nurses also send these items home with staff should they choose to take any of the medications home. Respondent states most of the medications found in her home were expired and she had not taken the time to clean out her cabinet and throw them away.

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(1)(A),(1)(B),(4),(6)(G),(8),(10)(E)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 571373 and Vocational Nurse License Number 129347, heretofore issued to DEE ANN KLEYPAS.
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 RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION WITH A FINE** 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. **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. 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 27th day of April, 2017.

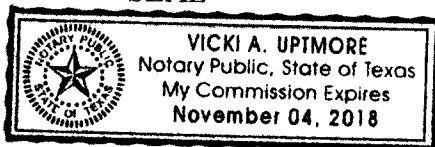
Dee Ann Kleypas
DEE ANN KLEYPAS, Respondent

Sworn to and subscribed before me this 27th day of April, 2017.

Vicki A. Uptmore

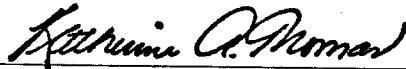
Notary Public in and for the State of Texas

SEAL



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 27th day of April, 2017, by DEE ANN KLEYPAS, Registered Nurse License Number 571373 and Vocational Nurse License Number 129347, and said Order is final.

Effective this 1st day of May, 2017.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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