



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

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In the Matter of § AGREED  
Registered Nurse License Number 696379 §  
issued to SARENA LEE STEPHENS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SARENA LEE STEPHENS, Registered Nurse License Number 696379, 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 April 5, 2018.

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 delinquent status.
4. Respondent received an Associate Degree from Trinity Valley Community College, Kaufman, Texas, on May 12, 2003. Respondent was licensed to practice professional nursing in the State of Texas on June 17, 2003.
5. Respondent's nursing employment history includes:
 

06/03 - 01/06	RN	Baylor University Medical Center Dallas, Texas
09/05 - 09/06	RN	East Texas Medical Center Gun Barrel City, Texas

Respondent's nursing employment history continued:

10/06	Unknown	
11/06 - 08/09	RN	Texas Health Presbyterian Hospital Denton, Texas
09/09	Unknown	
10/09 - 02/13	RN	University of Texas Medical Branch Galveston, Texas
03/13 - 02/14	Unknown	
03/14 - 08/14	RN	Angleton Danbury Medical Center Angleton, Texas
09/14 - 07/17	RN	Memorial Hermann Pearland Pearland, Texas
08/17 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Memorial Hermann Pearland, Pearland, Texas, and had been in that position for two (2) years and nine (9) months
7. On or about June 14, 2017, through July 10, 2017, while employed as a Registered Nurse with Memorial Hermann Pearland, Pearland, Texas, Respondent withdrew five (5) vials of Hydromorphone 1mg/1ml, and eight (8) vials of Fentanyl 100mcg/2ml from the medication dispensing system for patients without valid physicians' orders. Respondent's conduct was likely to injure the patients, in that the administration of the medications 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 June 14, 2017, through July 10, 2017, while employed as a Registered Nurse with Memorial Hermann Pearland, Pearland, Texas, Respondent withdrew five (5) vials of Hydromorphone 1mg/1ml and eight (8) vials of Fentanyl 100mcg/2ml from the medication dispensing system for patients, but failed to document, and/or completely and accurately document, the administration of the medications in the patients' Medication Administration Record 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.

9. On or about June 14, 2017, through July 10, 2017, while employed as a Registered Nurse with Memorial Hermann Pearland, Pearland, Texas, Respondent withdrew four (4) vials of Hydromorphone 1mg/1ml, seven (7) vials of Fentanyl 100mcg/2ml, one (1) vials of Hydromorphone 05.mg/1ml, and one (1) Fentanyl 50mcg/1ml, 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 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.
10. On or about June 14, 2017, through July 10, 2017, while employed as a Registered Nurse with Memorial Hermann Pearland, Pearland, Texas, Respondent misappropriated four (4) vials of Hydromorphone 1mg/1ml, seven (7) vials of Fentanyl 100mcg/2ml, one (1) vials of Hydromorphone 05.mg/1ml, and one (1) Fentanyl 50mcg/1ml, belonging to the facility or patients thereof, 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.
11. In response to Findings of Fact Numbers Seven (7) through Ten (10), Respondent states she does not have the information necessary to conclusively admit or deny the allegations, but recognizes that she has a substance use problem. Respondent states she has never been disciplined by any licensing agency, nor has she previously been formally counseled by previous employers for nursing practice issues.
12. Formal Charges were filed on October 13, 2017.
13. Formal Charges were mailed to Respondent on October 18, 2017.
14. 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.
15. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
16. 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.
17. 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)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(G),(8),(10)(C)&(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 696379, heretofore issued to SARENA LEE STEPHENS.
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. PEER ASSISTANCE PROGRAM REQUIREMENTS

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)**:

- A. Within forty-five (45) days following the date of entry of this Order, RESPONDENT SHALL apply to TPAPN;
- B. Within ninety (90) days following the date of entry of this Order, RESPONDENT SHALL sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee payable to TPAPN in the amount of five hundred dollars (\$500.00);
- C. 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;
- 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; and
- E. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

## II. COMPLIANCE WITH LAW AND APPLICABILITY

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.

- 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. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

## 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 entry of this Order:**

**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](http://www.bon.texas.gov/compliance).

**IV. 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.

**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, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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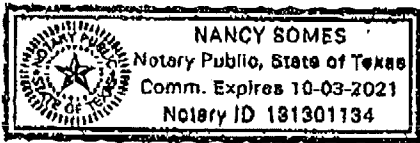
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 24<sup>th</sup> day of May, 2018,  
Sarena Lee Stephens  
SARENA LEE STEPHENS, Respondent

Sworn to and subscribed before me this 24<sup>th</sup> day of May, 2018.

SEAL



[Signature]  
Notary Public in and for the State of Texas

Approved as to form and substance.  
[Signature]  
Christopher Henderson, Attorney for Respondent

Signed this 24 day of May, 2018.

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 24<sup>th</sup> day of May, 2018, by SARENA LEE STEPHENS, Registered Nurse License Number 696379, and said Order is final.

Effective this 29th day of May, 2018.



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