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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 554927 §
& Vocational Nurse License Number 90402 §
issued to DEIRDRE ROXANNE LANFORD § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEIRDRE ROXANNE LANFORD, Registered Nurse License Number 554927 and Vocational Nurse License Number 90402, 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),(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 May 7, 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 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 Vocational Nursing from Stamford Memorial Hospital School of Vocational Nursing, Stamford, Texas, on January 30, 1981, and received a Diploma in Professional Nursing from Abilene Intercollegiate School of Nursing, Abilene, Texas, on May 5, 1989. Respondent was licensed to practice vocational nursing in the State of Texas on June 3, 1981, and was licensed to practice professional nursing in the State of Texas on August 25, 1989.

5. Respondent's nursing employment history includes:

| | | |
|----------------|----------------------------------|--|
| 1981 - 2009 | Staff Nurse | Hendrick Health System Abilene, Texas |
| 2007 - 2008 | Staff RN NICU | Abilene Regional Medical Center Abilene, Texas |
| 2009 - 2010 | Staff RN/Supervisor | Stamford Memorial Hospital Stamford, Texas |
| 2010 - 2011 | Travel ER Nurse | Emerald Health Systems Travel Agency Marina Del Rey, California |
| 2011 - 2011 | Staff RN ER | Cuyuna Regional Medical Center Crosby, Minnesota |
| 2011 - 2013 | DMRN | McKesson Health Solutions Burkburnett, Texas |
| 2013 - 2014 | Staff RN | Abilene Regional Medical Center Abilene, Texas |
| 2013 - 2014 | RN Case Manager | Caprock Home Health Services Abilene, Texas |
| 2014 - 2015 | Unknown | |
| 2015 - 2015 | Emergency Room Register Nurse | Eastland Memorial Hospital Eastland, Texas |
| 2015 - 2016 | Emergency Room Register Nurse | Stephens Memorial Hospital Breckenridge, Texas |
| 2016 - Unknown | Emergency Room Nurse | Anson General Hospital Anson, Texas |
| 08/16 - 02/18 | Charge Nurse | Abilene State Supported School Abilene, Texas |
| 12/17 - 01/18 | Register Nurse | My Emergency Room 24/7 Abilene, Texas |

Respondent's nursing employment history continued:

02/18 - Present Unknown

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Abilene State Supported Living Center, Abilene, Texas, and assigned to the infirmary unit, and had been in that position for one (1) year and four (4) months.
7. On or about January 20, 2018 through January 21, 2018, while employed as a Registered Nurse with Abilene State Supported Living Center, Abilene, Texas, and assigned to the infirmary unit, Respondent misappropriated Morphine belonging to the hospital and patients thereof, for her own personal use. Subsequently, Respondent admitted to the Department of Public Safety (DPS) Investigator that she had been stealing the contents of Morphine vials and replacing them with saline for personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
8. On or about January 26, 2018, while employed as a Registered Nurse with My Emergency Room, Abilene, Texas, Respondent lacked fitness to practice nursing in that she exhibited impaired behavior while on duty to include: appearing disoriented, stumbling, and displaying erratic behavior. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
9. On or about January 26, 2018, while employed as a Registered Nurse with My Emergency Room, Abilene, Texas, Respondent misappropriated Morphine belonging to the clinic and patients thereof, for her own personal use. Subsequently, Respondent admitted to the Department of Public Safety (DPS) Investigator that she had been taking Morphine. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. In response to Findings of Fact Number Seven (7) through Nine (9), Respondent states she is ashamed of her actions and there is no excuse for it, but at no time did she ever withhold or divert the medication ordered for the patient. Respondent states she would draw up the Morphine in two separate syringes and replace NS in the tubex. Respondent states she would put 2mg from one syringe into a separate container and the other syringe with the remaining 2mg into her pocket. Respondent states she would take the tubex with NS and draw it up in front of another nurse to witness and waste half. Respondent states at the bedside she would discard the syringe with NS and give the 2mg Morphine from her pocket. Respondent states the waste was what she retained. Respondent states she did this with each dose of Morphine on her evening shifts January 20, 2018 through January 21, 2018. Respondent states she did not use the Morphine while on duty on any occasion. Respondent states on January 26, 2018, she saw 15 patients in 6 hours and when Tara Hanley, RN, for the night shift came on all 7

rooms were full with one patient needing transfer to a local hospital and patients in the waiting room. Respondent states she had not slept in 2 days and when she sat down and tried to chart she had trouble staying awake. Respondent states the practice of wasting left over narcotics was to have the oncoming RN witness the wastes. Respondent states she drove home and went to bed. Respondent states she forgot she had the waste vials in her pocket and didn't realize she had them until the next evening. Respondent states she had every intention of returning them with the medication, but she could not sleep with racing thoughts, palpitations, anxiety, and she succumbed to the temptation and took the Morphine wastes. Respondent states she replaced the waste amounts with NS and put them into a ziploc bag. Respondent states she was consumed with guilt, shame, and disgust for her actions.

11. 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.
12. 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.
13. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
14. 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.
15. 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)(B) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4),(5),(6)(G),(8),(10)(E)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 554927 and Vocational Nurse License Number 90402, heretofore issued to

DEIRDRE ROXANNE LANFORD, 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 554927 and Vocational Nurse License Number 90402, previously issued to DEIRDRE ROXANNE LANFORD, 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);
- B. Is **cleared to safely practice as a nurse** based on a fitness evaluation, as may be required by TPAPN; and
- C. 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.

- D. 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.

- E. 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.
- F. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.
- G. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- H. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- I. 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.

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, 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 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.

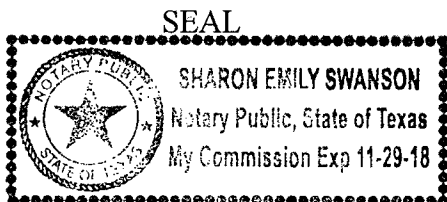
Signed this 13 day of June, 2018.

Deirdre Roxanne Lanford
DEIRDRE ROXANNE LANFORD, Respondent

Sworn to and subscribed before me this 13 day of June, 2018.

Sharon Swanson

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 13th day of June, 20 18, by DEIRDRE ROXANNE LANFORD, Registered Nurse License Number 554927 and Vocational Nurse License Number 90402, and said Order is final.

Effective this 21st day of June, 20 18.



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