



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 608809 §
issued to STACY R MCKINNEY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of STACY R MCKINNEY, Registered Nurse License Number 608809, 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), 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 11, 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 current status.
4. Respondent received a Diploma from Covenant School of Nursing, Lubbock, Texas on June 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on August 2, 1994.
5. Respondent's nursing employment history includes:

8/94-6/96	RN	Methodist Hospital Lubbock, Texas
-----------	----	--------------------------------------

Respondent's nursing employment history continued:

6/96-10/01	RN	Texas Health Resources Ft. Worth, Texas
10/01-8/13	RN	Texas Health Harris Methodist Hospital Cleburne, Texas
9/13-12/13	Unknown	
1/14-1/17	RN	Office of Dr. Eric Furman Cleburne, Texas
2/17-10/17	RN	Texas Health Surgery Center Cleburne, Texas
11/17-Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Texas Health Harris Methodist Hospital, Cleburne, Texas, and had been in that position for eleven (11) years and eight (8) months.
7. On or about August 21, 2013, while employed with Texas Health Harris Methodist Hospital, Cleburne, Texas, Respondent engaged in the intemperate use of Soma (Carisoprodol) in that she produced a specimen for drug screening which resulted positive for Soma (Carisoprodol). Respondent later admitted to taking what she thought was a family member's muscle relaxer. Possession of Soma is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Soma by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the 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 the patient in potential danger.
8. On or about July 24, 2015, Respondent underwent a Chemical Dependency Evaluation performed by Emily Fallis, Ph.D. who opined that Respondent did not have a substance abuse problem and did not need substance abuse treatment.
9. On or about October 1, 2017, while employed with Texas Health Surgery Center, Cleburne, Texas, Respondent engaged in the intemperate use of Opiates in that she produced a specimen for drug screening that resulted positive for Opiates. Respondent later admitted to taking her sister's Tylenol #3 without a prescription. Possession of Tylenol #3 is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Tylenol #3 by a Registered Nurse, while subject to call or duty, could impair the nurse's

ability to recognize subtle signs, symptoms or changes in the 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 the patient in potential danger.

10. In response to Findings of Fact Number Seven (7), Respondent explains she went to a family reunion and had pain under her left shoulder blade so her great aunt gave her a couple of muscle relaxers. Respondent states she believed the medication appeared to be Robaxin. In response to Findings of Fact Number Nine (9), Respondent states she took her sister's pain medication while in Lubbock due to dental pain. Respondent states she went to the dentist when she returned home, was put on Keflex for an infected tooth and saw an endodontist for a root canal. Respondent states she doesn't plan to work until she can go back to the surgery center as she doesn't have to work for financial reasons but loves being a nurse. Respondent admits she made the wrong decision to self medication but in her hectic life she did what she needed and it resulted in another disappointing termination.

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)(E),(4),(5),(10)(A),(10)(D)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 608809, heretofore issued to STACY R MCKINNEY.
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 that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** and Respondent's license(s) shall be placed in **INACTIVE** status.

Should RESPONDENT decide in the future to reactivate his/her license(s) to practice nursing in the State of Texas, RESPONDENT SHALL be required to petition the Board for reactivation of the license and satisfy all then existing requirements for reactivation. Further, RESPONDENT'S reactivated license(s) SHALL BE subject to, at a minimum, the remedial education courses, work restrictions, supervised practice, and employer reporting which would have been requirements of this Order had Respondent not chosen to inactivate his/her nursing license(s).

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

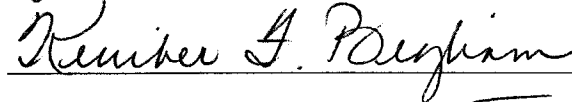
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said 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. I further understand that, should I decide in the future to reactivate my license(s), I will be required to satisfy, at a minimum, the additional requirements that would have been part of this Order had the license(s) not been placed in inactive status, as stated herein, as well as all then existing requirements for reactivation.

Signed this 26 day of JUNE, 2018.



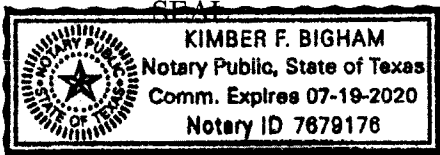
STACY R MCKINNEY, Respondent

Sworn to and subscribed before me this 26th day of JUNE, 2018.



Kimber A. Bigham

Notary Public in and for the State of TEXAS



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 26th day of June, 2018, by STACY R MCKINNEY, Registered Nurse License Number 608809, and said Order is final.

Effective this 21st day of August, 2018.



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