



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.
Patricia O'Rourke
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 215428 § AGREED
issued to MARY F. BAKER BUCKLER § ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that MARY F. BAKER BUCKLER, License Number 215428, hereinafter referred to as Respondent, may have violated Section 301.452 (b)(10), Texas Occupations Code.

An informal conference was held on November 27, 2001, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Clark Watts, Attorney at Law. In attendance were Carol Marshall, MSN, RN, Nursing Consultant, Executive Director's Designee; Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Noemi Leal, Senior Investigator.

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.
2. Respondent waived notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from St. Joseph Hospital, Fort Worth, Texas, in September 1959 and completed an Advanced Practice Program at St. Joseph School of Anesthesia, Fort Worth, Texas, in October 1970. Respondent was licensed to practice professional nursing in Texas on November 19, 1959, and received APN authorization from the Board on December 30, 1988.

5. Respondent's professional employment history includes:

1959 to 1960	Charge Nurse/Emergency Room Saint Joseph Hospital Fort Worth, Texas
1960 to 1961	Industrial Registered Nurse Texas Steel Company Fort Worth, Texas
1961 to 1966	Unknown
1967 to 1969	Charge Nurse/Surgical Unit Saint Joseph Hospital Fort Worth, Texas
1970 to 1971	Staff CRNA Glenview Hospital Fort Worth, Texas
1971 to 1981	CRNA Anesthesia Service of North Texas Dallas, Texas
1981 to 1988	Free Lance CRNA Hospitals & Dentist Offices Dallas & Tarrant Counties
1988 to 1993	CRNA The Surgery Center Fort Worth, Texas
1993	CRNA Ophthalmology Associates Fort Worth, Texas
1993 to Present	CRNA Cameron Shropshire, M.D., Chief of Anesthesiology Health South Surgery Center Fort Worth, Texas

6. Respondent, while employed with Cameron Shropshire, M.D., Chief of Anesthesiology, Fort Worth, Texas, and working at Health South Surgery Center, Fort Worth, Texas, during a period of time from October 1999 through March 2000, misappropriated Versed belonging to the facility and the patients thereof. On or about March 2, 2000, Respondent was found with twelve (12) ampules of Versed in her bag. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.
7. Respondent, while employed with Cameron Shropshire, M.D., Chief of Anesthesiology, Fort Worth, Texas, and working at Health South Surgery Center, Fort Worth, Texas, during a period of time from October 1999 through March 2000, signed out Versed on the Controlled Substance Record for patients but failed to follow the policy and procedure for the wastage of medications. On or about March 2, 2000, Respondent was found with twelve (12) ampules of Versed in her bag. Respondent's conduct was likely to deceive the facility and constitutes a violation of Chapter 481 of the Texas Health & Safety Code (Texas Controlled Substances Act).
8. On March 2, 2000, Respondent submitted an observed specimen with a chain of custody for a drug screen which resulted negative for Benzodiazepines (Versed).
9. Respondent indicates that she obtained the Versed found in her bag from the pharmacy, before the pyxis was installed, and saved them for future use. She did this because it took too long to get medication from the pharmacy while she was in the middle of a procedure. After she used one of the medications from her personal stock on her patients she would replace it by withdrawing from the pyxis. Some of the medications found in her bag were discontinued because once the pyxis was installed it was easier to get the medication and she stopped using her stock.

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 of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1),(18)&(19).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 215428, heretofore issued to MARY F. BAKER BUCKLER, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of Remedial Education and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to MARY F. BAKER BUCKLER to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. It shall be a

minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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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 alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11 day of January, 2002.

Mary F. Baker Buckler
MARY F. BAKER BUCKLER, Respondent

Sworn to and subscribed before me this 11th day of January, 2002.

SEAL



Sue Carol Allen

Notary Public in and for the State of Texas

Approved as to form and substance.

Clark Watts
CLARK WATTS, Attorney for Respondent

Signed this 16 day of Jan, 2002

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 11th day of January, 2002, by MARY F. BAKER BUCKLER, License Number 215428, and said Order is final.

Effective this 23rd day of January, 2002.



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



Board of Nurse Examiners For the State of Texas

Katherine Thomas, MN, RN, Executive Director	Linda Rounds, PhD, RN, President, Galveston	Thalis Munoz, MS, RN Vice-President, Rio Grande City	Dorosh Bell, CLU, ChFC Ablene	Virginia Campbell, BSN, RN, CNOR Mesquite	Lawrence Canfield, CRNA, MS, Ed Temple	Marcelo Lajas, Jr., Floresville	Sue McGee, MSN, RN Amarillo	Elizabeth Poster, PhD, RN Arlington	Phyllis Caves Rawley, CPC El Paso
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July 2, 2002


Mary Buckler, RN
1809 Aden Rd.
Ft. Worth TX 76116

Dear Ms. Buckler:

Our office has received all information necessary to clear your license. Our records now reflect your successful completion of the requirements of the Order of the Board issued to you January 23, 2002.

If you should have any questions, do not hesitate to contact this office at (512) 305-6838.

Sincerely,


Diana Vandiver
Monitoring

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