



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
Vocational Nurse License Number 222141
issued to KELLIE LEIGH ROMAN

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KELLIE LEIGH ROMAN, Vocational Nurse License Number 222141, 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)(3)&(10), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 26, 2019.

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 Agreed Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Anamarc Educational Institute, Santa Teresa, New Mexico, on October 3, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on June 11, 2009.
5. Respondent's nursing employment history includes:

6/2009 – 8/2009	Licensed Vocational Nurse	Bienvivir Senior Health Services El Paso, Texas
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Respondent's nursing employment history continued:

8/2009 – 11/2011	Licensed Vocational Nurse	Corizon El Paso, Texas
11/2011 – 8/2012	Unknown	
8/2012 – 4/2014	Licensed Vocational Nurse	Texas Tech/Juvenile Detention Center El Paso, Texas
4/2014 – 6/2015	Licensed Vocational Nurse	Grifols/Talecris Plasma Resources El Paso, Texas
6/2015 – 9/2015	Unknown	
9/2015 – 3/2018	Licensed Vocational Nurse	Emergence Health Network El Paso, Texas
3/2018 – 4/2018	Licensed Vocational Nurse	Involve People El Paso, Texas
4/2018 – Present	Licensed Vocational Nurse	Epic Health Services El Paso, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Emergence Health Network, El Paso, Texas, and had been in that position for two (2) years and three (3) months.
7. On or about December 1, 2017, through December 21, 2017, while employed as a Licensed Vocational Nurse with Emergence Health Network, El Paso, Texas, Respondent falsified orders for Zolpidem for Patient 106572, Patient 123203, and Patient 134209. When the physicians were asked to verify if the medications were ordered, they denied ordering the medications. Respondent's conduct was likely to deceive the pharmacy, and possession of Zolpidem through use of a fraudulent telephonically communicated prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
8. On or about October 22, 2019, Respondent entered a plea of Guilty to five (5) counts of FRAUD POSS CS/PRESCRIPTION SCH III/IV, a 3rd Degree Felony offense, committed on March 9, 2018, March 10, 2018, March 29, 2018, and April 2, 2018, in the Criminal District Court 1 of El Paso County, Texas, under Case No. 2019D04740. As a result of the plea, the proceedings against Respondent were deferred, without entering an adjudication

of guilt, and Respondent was placed on community supervision for a period of five (5) years and ordered to a pay fine and court costs.

9. In response to Finding of Fact Number Seven (7), Respondent stated she did not recall the allegations. Respondent stated all medications are ordered from a physician before the pharmacist received the orders electronically or sent from the physician, either verbally from the physicians to the nurse, telephonically via text or calls from the physicians to the nurse, and/or written by the physician or a nurse if a verbal or telephone order was given.
10. Respondent by her signature expresses her desire to voluntary surrender the licenses.

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)(B),(4),(6)(H),(10)(E)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(3)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 222141, heretofore issued to KELLIE LEIGH ROMAN.
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

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 222141 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself/himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
 - A. At least one (1) year has elapsed from the date of this Order; and
 - B. RESPONDENT has objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.

3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

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RESPONDENT'S CERTIFICATION

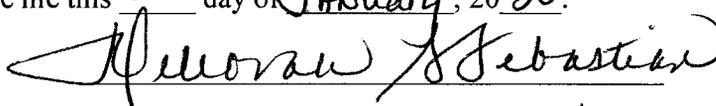
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

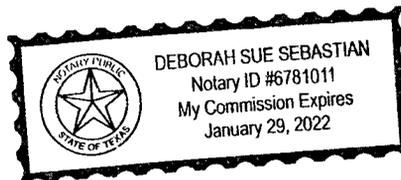
Signed this 30 day of JANUARY, 20 20.


KELLIE LEIGH ROMAN, RESPONDENT

Sworn to and subscribed before me this 30 day of JANUARY, 20 20.

SEAL


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 30th day of January, 2020, by KELLIE LEIGH ROMAN, Vocational Nurse License Number 222141, and said Agreed Order is final.

Effective this 4th day of February, 2020.



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