



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 ORDER  
Registered Nurse License Number 832665 §  
& Vocational Nurse License Number 300754 §  
issued to SARAH LOUISE BURNES §  
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SARAH LOUISE BURNES, Registered Nurse License Number 832665, and Vocational Nurse License Number 300754, 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)(1)&(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 December 17, 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. 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 Galen College of Nursing, San Antonio, Texas, on April 19, 2011. Respondent received an Associate Degree in Nursing from Galen College of Nursing, San Antonio, Texas, on December 21, 2012. Respondent was licensed to practice vocational nursing in the State of Texas on May 26, 2011. Respondent was licensed to practice professional nursing in the State of Texas on February 19, 2013.

5. Respondent's nursing employment history is unknown.
6. On or about January 13, 2016, Respondent's licenses to practice nursing in the State of Texas were Suspended and Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through an Order of the Board. A copy of the January 13, 2016, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about December 4, 2018, Respondent became noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on January 13, 2016 by providing a specimen for a random drug screen that resulted positive for Tramadol, in violation of her TPAPN agreement.
8. In response to Finding of Fact Number Seven (7), Respondent states she went to the emergency room (ER) on November 26, 2018 for severe kidney pain and was prescribed Flomax and Tylenol #3. Respondent denies taking Tramadol. Respondent will take full responsibility and agree to the outcome of this unfortunate event. Additionally, Respondent's employer states that "she is an asset to the health care team."
9. On or about December 12, 2019, Respondent underwent a chemical dependency evaluation with Dr. Paul Andrews. Dr. Andrews' findings did not indicate chemical dependency or mental health problems, but did indicate some infrequent alcohol abuse and some troubling circumstances related to substance use. He recommended continued use of NA or a similar aftercare support group, supervision/mentoring by a licensed nurse, participation in psychotherapy, and random drug screens.
10. Formal Charges were filed on July 26, 2019.

#### 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),(1)(E),(4),(5),(10)(A),(10)(D)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 832665, and Vocational Nurse License Number 300754, heretofore issued to SARAH LOUISE BURNES.

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, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 832665, and Vocational Nurse License Number 300754, previously issued to SARAH LOUISE BURNES, to practice nursing in the State of Texas is/are hereby **SUSPENDED** and said suspension is **STAYED** and RESPONDENT is hereby placed on **PROBATION** for a minimum of three (3) years **AND** until RESPONDENT fulfills the additional requirements of 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.

#### **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 Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order.

### III. SUPERSEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Agreed Order SHALL supersede all previous stipulations required by any Order entered by the Texas Board of Nursing.

### IV. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

### V. 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 effective date of this Order, unless otherwise specifically indicated:**

- A. **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 and video programs will not be approved.
- B. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

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).*

## VI. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for twelve (12) quarterly periods [three (3) years] of employment. This requirement will not be satisfied until twelve (12) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **No Night or Rotating Shifts, Overtime, or On-Call:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which RESPONDENT is regularly assigned.

- D. **No Critical Care:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse in any critical care area. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.
- E. **No Administration of Controlled Medications:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates.
- F. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency, **with the exception of her current position as a Quality Assurance nurse at American Senior Home Health, Richardson, Texas. Should RESPONDENT'S employment as a Quality Assurance nurse with American Senior Home Health, Richardson, Texas, cease or change while under the terms of this Order, this stipulation shall have full force and effect.** RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- G. **Indirect Supervision:** For the remainder of the stipulation/probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, **who is on the premises.** The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years of experience in the same or similar practice setting to which the RESPONDENT is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency, **with the exception of her current position as a Quality Assurance nurse at American Senior Home Health, Richardson, Texas. Should RESPONDENT'S employment as a Quality Assurance nurse with American Senior Home Health, Richardson, Texas, cease or change while under the terms of this Order, this stipulation shall have full force and**

**effect.** RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- H. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the RESPONDENT by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for twelve (12) quarters [three (3) years] of employment as a nurse.

## VII. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, RESPONDENT SHALL abstain from the use of alcohol, nalbuphine, propofol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that the prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.
- B. While working as a nurse under the terms of this Order, RESPONDENT SHALL submit to random periodic screens for alcohol, nalbuphine, propofol and all controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when RESPONDENT obtains employment and submits the Notification of Employment form to the Board.
- For the first three (3) month [1<sup>st</sup> quarter] period RESPONDENT works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
  - For the next three (3) month [2<sup>nd</sup> quarter] period, random screens shall be performed at least twice per month.
  - For the next six (6) month period [3<sup>rd</sup> & 4<sup>th</sup> quarters], random screens shall be performed at least once per month.
  - For the remainder of the probation period, if any, random screens shall be performed at least once every three (3) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Any test result for a period of time in which the RESPONDENT is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

**Specimens shall be screened** for any or all of the following substances and/or their metabolites:

Amphetamine	Methamphetamine	MDMA
MDA	Alprazolam	Diazepam
Alpha-o-alprazolam	Alpha-Hydroxytriazolam	Clonazepam
Desmethyldiazepam	Lorazepam	Midazolam
Oxazepam	Temazepam	Amobarbital
Butobarbital	Butalbital	Pentobarbital
Phenobarbital	Secobarbital	Codeine
Hydrocodone	Hydromorphone	Methadone
Morphine	Opiates	Oxycodone
Oxymorphone	Propoxyphene	Cannabinoids
Cocaine	Phencyclidine	Ethanol
Heroin	Fentanyl	Tramadol
Meperidine	Carisoprodol	Butorphanol
Nalbuphine	Ketamine	Propofol

Upon enrollment in the Board's drug and alcohol testing program, **RESPONDENT SHALL, on a daily basis, call or login online to the Board's designated drug and alcohol testing vendor to determine whether or not RESPONDENT has been selected to produce a specimen for screening that day** and SHALL, if selected, produce a specimen for screening that same day at an approved testing location and/or comply with any additional instructions from the vendor or Board staff. Further, **a Board representative may appear** at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

**Consequences of Positive or Missed Screens.** Any positive result for which RESPONDENT does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject RESPONDENT to 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. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.



- C. While under the terms of this Order, RESPONDENT SHALL **attend at least two (2) support group meetings each week**, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month quarterly period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

**VIII. FURTHER COMPLAINTS**

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against 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.

**IX. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(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 Order. 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 is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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 3<sup>rd</sup> day of February, 2020.

Burnes, R  
SARALOUISE BURNES, RESPONDENT

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

Approved as to form and substance.

Bonnie Matt Sinclair  
Bonnie Sinclair, Attorney for Respondent

Signed this 3<sup>RD</sup> day of February 2020.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 3rd day of February, 2020, by SARAH LOUISE BURNES, Registered Nurse License Number 832665, and Vocational Nurse License Number 300754, and said Agreed Order is final.

Effective this 10th day of March, 2020.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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



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 832665 §  
& Vocational Nurse License Number 300754 §  
issued to SARAH LOUISE ROBINSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SARAH LOUISE ROBINSON, Registered Nurse License Number 832665 and Vocational Nurse License Number 300754, 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),(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 November 24, 2015.

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 current 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 Galen College of Nursing, San Antonio, Texas, on April 19, 2011, and received an Associate Degree from Galen College of Nursing, San Antonio, Texas, on December 21, 2012. Respondent was licensed to practice vocational nursing in the State of Texas on May 26, 2011, and was licensed to practice professional nursing in the State of Texas on February 19, 2013.

5. Respondent's nursing employment history includes:

03/13 - 11/13	LVN	Urgent Care Solutions Boerne, Texas
12/13 - 05/14	RN	Urgent Care Solutions Boerne, Texas
06/14 - 08/14	RN	Winslow Indian Hospital Winslow, Arizona
09/14 - 12/14	RN	Baylor Scott & White Hospital Llano, Texas
01/15 - 03/15	RN	Brazosport Regional Health System Lake Jackson, Texas
04/15 - 05/15	RN	Christus Santa Rosa Hospital New Braunfels, Texas
06/15 - 08/15	Unknown	
09/15 - 10/15	RN	Conroe Regional Medical Center Conroe, Texas
11/15 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Brazosport Regional Health System, Lake Jackson, Texas, and had been in that position for twelve (12) days.
7. On or about January 12, 2015, while employed with Brazosport Regional Health System, Lake Jackson, Texas, Respondent withdrew one (1) vial of Morphine 2mg from the medication dispensing system for a patient without a valid physician's order. Respondent's conduct was likely to injure the patient, in that the administration of the medications without a valid physician's order could result in the patient 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 January 12, 2015, through January 17, 2015, while employed with Brazosport Regional Health System, Lake Jackson, Texas, Respondent withdrew one (1) vial of Morphine 2mg, and three (3) vials of Demerol 25mg from the medication dispensing system for patients, but failed to document, or accurately and completely document, the

administration of the medications in the patients' Medication Administration Record (MAR) and/or nurse's 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 January 12, 2015, through February 27, 2015, while employed with Brazosport Regional Health System, Lake Jackson, Texas, Respondent withdrew one (1) vial of Morphine 2mg, three (3) vials of Demerol 25mg, two (2) vials of Ativan 2mg, three (3) vials of Dilaudid 2mg, one (1) vial of Morphine Sulfate 5mg, and two (2) vials of Fentanyl 100mcg, from the medication dispensing system for patients, but failed to follow the facility's policy and procedure 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 January 12, 2015, through February 27, 2015, while employed with Brazosport Regional Health System, Lake Jackson, Texas, Respondent misappropriated one (1) vial of Morphine 2mg, three (3) vials of Demerol 25mg, two (2) vials of Ativan 2mg, three (3) vials of Dilaudid 2mg, one (1) vial of Morphine Sulfate 5mg, and two (2) vials of Fentanyl 100mcg, or failed to take precautions to prevent the misappropriation of the medications from the facility and patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
11. On or about March 16, 2015, while employed with Brazosport Regional Health System, Lake Jackson, Texas, Respondent engaged in the intemperate use of Morphine, Hydromorphone, Fentanyl, and Meperidine, in that she submitted a specimen for a for-cause drug screen that produced a positive result for Morphine, Hydromorphone, Fentanyl, and Meperidine. Unlawful possession of Morphine, Hydromorphone Fentanyl and Meperidine is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health & Safety Code. The use of Morphine, Hydromorphone Fentanyl and Meperidine by a professional nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms, or changes in a 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 a patient in potential danger.
12. On or about April 30, 2015, through May 8, 2015, while employed as a Registered Nurse with Christus Santa Rosa Hospital, New Braunfels, Texas, Respondent withdrew three (3) vials of Morphine 4mg, two (2) vials of Hydromorphone 1mg, and one (1) tablet of Hydrocodone/APAP 7.5/325mg from the medication dispensing system for patients, but failed to document, or accurately and completely document, the administration of the medications in the patients' Medication Administration Record (MAR) and/or nurse's 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.

13. On or about April 30, 2015, through May 8, 2015, while employed as a Registered Nurse with Christus Santa Rosa Hospital, New Braunfels, Texas, Respondent withdrew three (3) vials of Morphine 4mg, two (2) vials of Hydromorphone 2mg, and one (1) tablet of Hydrocodone/APAP 7.5/325mg, from the medication dispensing system for patients, but failed to follow the facility's policy and procedure 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 the Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
14. On or about April 30, 2015, through May 8, 2015, while employed as a Registered Nurse with Christus Santa Rosa Hospital, New Braunfels, Texas, Respondent misappropriated three (3) vials of Morphine 4mg, two (2) vials of Hydromorphone 1mg, and one (1) tablet of Hydrocodone/APAP 7.5/325mg, or failed to take precautions to prevent the misappropriation of the medications from the facility and patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
15. On or about May 1, 2015, while employed as a Registered Nurse with Christus Santa Rosa Hospital, New Braunfels, Texas, Respondent lacked fitness to practice nursing in that she exhibited impaired behavior while on duty, including: being tearful and fatigued, pacing, and being emotionally labile. 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.
16. On or about November 6, 2015, while licensed as a Registered Nurse and Vocational Nurse with the State of Texas, Respondent was notified of the following allegations:  
  
On or about September 2, 2015, through September 27, 2015, while employed as a Registered Nurse with Axis Medical Staffing, Seattle, Washington, and on assignment with Conroe Regional Medical Center, Conroe, Texas, Respondent withdrew medications without physicians' orders.  
  
On or about September 2, 2015, through September 27, 2015, while employed as a Registered Nurse with Axis Medical Staffing, Seattle, Washington, and on assignment with Conroe Regional Medical Center, Conroe, Texas, Respondent withdrew medications from the Medication Dispensing System for patients, but failed to document, or accurately and completely document, the administration of the medications in the patients' Medication Administration Record (MAR) and/or Nurse's Notes.

On or about September 2, 2015, through September 27, 2015, while employed as a Registered Nurse with Axis Medical Staffing, Seattle, Washington, and on assignment with Conroe Regional Medical Center, Conroe, Texas, Respondent withdrew medications from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications.

On or about September 2, 2015, through September 27, 2015, while employed as a Registered Nurse with Axis Medical Staffing, Seattle, Washington, and on assignment with Conroe Regional Medical Center, Conroe, Texas, Respondent misappropriated medications or failed to take precautions to prevent the misappropriation of the medications from the facility and patients thereof.

On or about September 27, 2015, while employed as a Registered Nurse with Axis Medical Staffing, Seattle, Washington, and on assignment with Conroe Regional Medical Center, Conroe, Texas, Respondent engaged in the intemperate use of Fentanyl/Norfentanyl, Hydromorphone, and Morphine, in that Respondent produced a specimen for drug screen that resulted positive for Fentanyl/Norfentanyl, Hydromorphone, and Morphine.

17. On or about November 9, 2015, while licensed as a Registered Nurse and Vocational Nurse with the State of Texas, Respondent was notified of the following allegations:

On or about September 19, 2015, through September 27, 2015, while employed as a Registered Nurse with Axis Medical Staffing, Seattle, Washington, and on assignment with Conroe Regional Medical Center, Conroe, Texas, Respondent may have lacked fitness to practice nursing in that she exhibited impaired behavior while on duty including: appearing secretive and paranoid, possessing increased fidgeting, and leaving the unit for long periods of time.

18. In response to Findings of Fact Numbers Seven (7) through Fifteen (15), Respondent states she does not recall every particular incident, but does admit she has made documentation and wastage errors. Respondent states the Emergency Room (ER) was extremely busy and she had a difficult time learning the computer system. Respondent admits to self-administering medications while at Brazosport Regional Hospital, but states after the situation escalated, she did not procure any medications for self-use at any other facility where she worked. Respondent denies she lacked fitness to practice nursing, but states she was adjusting to working nights and had recently gone through a break-up with a verbally abusive boyfriend.

19. 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.

20. Formal Charges were filed on October 20, 2015.

- ~~21. Formal Charges were mailed to Respondent on October 22, 2015.~~



22. 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.
23. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
24. 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.
25. 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) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(1)(E),(4),(5),(6)(A),(6)(G),(6)(H),(8),(10)(A),(10)(C),(10)(D),(10)(E)& (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 832665 and Vocational Nurse License Number 300754, heretofore issued to SARAH LOUISE ROBINSON, 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 832665 and Vocational Nurse License

Number 300754, previously issued to SARAH LOUISE ROBINSON, 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); and
- B. 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.

- C. **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.
- 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.
- E. **RESPONDENT SHALL CAUSE** the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.
- F. This Order **SHALL** apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- G. This Order **SHALL** be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- H. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

## **II. COMPLIANCE WITH LAW**

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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](http://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.

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.

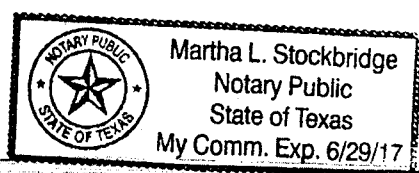
Signed this 24 day of December, 2015.

[Signature]  
SARAH LOUISE ROBINSON, Respondent

Sworn to and subscribed before me this 24 day of Dec, 2015.

SEAL

[Signature]  
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 24th day of December, 2015, by SARAH LOUISE ROBINSON, Registered Nurse License Number 832665 and Vocational Nurse License Number 300754, and said Order is final.

Effective this 13th day of January, 2016.



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