



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 ORDER
Vocational Nurse License Number 314253	§	
issued to CASEY LEANE ROSKYDOLL	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CASEY LEANE ROSKYDOLL, Vocational Nurse License Number 314253, 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)&(13), 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 September 4, 2020.

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 Concorde Career College, Grand Prairie, Texas, on April 26, 2013. Respondent was licensed to practice vocational nursing in the State of Texas on June 11, 2013.
5. Respondent's nursing employment history includes:

06/13 – 01/15

LVN

Trinity Pain Medicine Associates
Fort Worth, Texas

Respondent's nursing employment history continued:

01/15 – 03/16	LVN/Practice Manager	Capstone Pain and Spine Center Cleburne, Texas
04/16 – 10/17	Unknown	
11/17 – 10/19	LVN	Watermere Surgery Center Southlake, Texas
11/19 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse (LVN) with Watermere Surgery Center, Southlake, Texas, and had been in that position for one (1) year and ten (10) months.
7. On or about September 6, 2019, while employed as a Licensed Vocational Nurse (LVN) in the Post Anesthesia Care Unit (PACU) of Watermere Surgery Center, Southlake, Texas, Respondent inappropriately altered physician's orders for Oxycodone 10/325mg for Patient SS to reflect two (2) tablets ordered instead of one (1). Additionally, Respondent admitted that she altered the physician's order and administered two (2) tablets of oxycodone to the patient because she "felt bad for the patient." Respondent's conduct was deceptive, created an inaccurate medical record, and was likely to injure the patient in that the administration of oxycodone in excess of the physician's order could result in the patient suffering from adverse reactions. Additionally, Respondent's conduct placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about September 25, 2019, while employed as a Licensed Vocational Nurse (LVN) in the Post Anesthesia Care Unit (PACU) of Watermere Surgery Center, Southlake, Texas, Respondent documented an incomplete physician's order for Oxycodone 10/325mg for Patient RB in that she failed to include the frequency at which the Oxycodone should be administered. Respondent's conduct created an incomplete medical record and was likely to injure the patient in that subsequent caregivers would not have complete information to base their care decisions.
9. On or about September 25, 2019, while employed as a Licensed Vocational Nurse (LVN) in the Post Anesthesia Care Unit (PACU) of Watermere Surgery Center, Southlake, Texas, Respondent failed to assess vital signs, including pain assessments, for Patient RB from 1434 to discharge at 1518. Respondent's conduct was likely to injure the patient from undetected changes in condition.
10. On or about September 27, 2019, while employed as a Licensed Vocational Nurse (LVN) in the Post Anesthesia Care Unit (PACU) of Watermere Surgery Center, Southlake, Texas, Respondent falsified a physician's order for 2 tablets of Oxycodone 10/325mg for Patient

RL. Respondent's conduct was deceptive, created an inaccurate medical record, and placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

11. On or about September 30, 2019, while employed as a Licensed Vocational Nurse (LVN) in the Post Anesthesia Care Unit (PACU) of Watermere Surgery Center, Southlake, Texas, Respondent falsified a physician's order for Oxycodone 10/325mg for Patient DW, who was not her assigned patient, and who did not have any complaints of pain. Additionally, Respondent altered the PACU Record to reflect that the patient reported an 8/10 pain level. Further, Respondent falsely documented that she administered the Oxycodone to Patient DW. Respondent's conduct was deceptive, created an inaccurate medical record, and placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
12. On or about September 30, 2019, while employed as a Licensed Vocational Nurse (LVN) in the Post Anesthesia Care Unit (PACU) of Watermere Surgery Center, Southlake, Texas, Respondent inappropriately altered a physician's order for Oxycodone for Patient KH, who was not her assigned patient, to reflect that two (2) tablets were ordered instead of one (1). Additionally, Respondent altered the medication administration record (MAR) to reflect that two (2) tablets of oxycodone had been administered to Patient KH. Respondent later admitted to altering the record and stated that she took one tablet for herself because she ran out of her own prescription. Respondent's conduct was deceptive, created an inaccurate medical record, and was likely to injure the patient in that the administration of oxycodone in excess of the physician's order could result in the patient suffering from adverse reactions. Additionally, Respondent's conduct placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
13. On or about September 30, 2019, while employed as a Licensed Vocational Nurse (LVN) in the Post Anesthesia Care Unit (PACU) of Watermere Surgery Center, Southlake, Texas, Respondent diverted Oxycodone from the facility and patients thereof, for her own personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the oxycodone. Furthermore, unlawful possession of Oxycodone is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
14. In response to Findings of Fact Numbers Seven (7) through Thirteen (13), regarding Patients RB, SS and RL, Respondent only states that the patient charts were left out on the countertop of the nurse's station, flipped upside down, for the duration of the shift. Respondent states that the patient charts were accessible by everyone and the key to the Secure Destruction Container was kept in an unlocked drawer at the nurse's station. Respondent adds that every Monday, a licensed pharmacist would come to the facility and audit the Controlled Substances Records and MARs and there was never any discrepancy involving her. Regarding Patient DW, Respondent states this patient was assigned to another nurse, and the patient's daughter pulled back the curtain and asked Respondent to come see the patient because she was in pain. Respondent states she looked for the assigned RN, but she was unable to locate her. Respondent states she told the patient she was going to talk to the physician about addressing her pain and tried to look for her RN again.

Respondent states the physician gave her a verbal order of 1 tab of oxycodone 10/325 po. Respondent states that the DON was present for this conversation and she also witnessed the removal/count with her. Respondent states she administered the oxycodone to the patient and documented the administration in the record. Respondent does not address Patient KH. Regarding the diversion of oxycodone, Respondent states she has never practiced nursing under the influence of any medication that had not been prescribed to her by a physician.

15. On or about August 5, 2020, Respondent underwent a Psychological Evaluation with Emily Fallis, PhD, wherein Dr. Fallis states that although records suggest Respondent may have abused Oxycodone, testing suggests she was honest when denying abuse of controlled substances. Dr. Fallis further states that testing also suggests Respondent was honest when denying failure to document nursing duties, inappropriately providing treatment to patients not under her care, and altering physician's orders. Dr. Fallis advised that Respondent should continue participation in AA and individual counseling.

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)&(2) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(G),(6)(H),(8),(10)(B)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 314253, heretofore issued to CASEY LEANE ROSKYDOLL.
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 **REPRIMAND WITH STIPULATIONS** in accordance with the terms 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" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

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. 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.

IV. 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. **A Board-approved course in medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. **A Board-approved course in physical assessment** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include physical assessment of all body systems. The clinical component SHALL include physical assessment of live patients in a clinical setting; Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- D. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.

- E. **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.*

V. **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 eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) 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. **Indirect Supervision:** 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. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **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 eight (8) quarters [two (2) years] of employment as a nurse.

VI. 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 duration of the probation period, random screens shall be performed at least once per month.

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
Butabarbital	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.

VII. 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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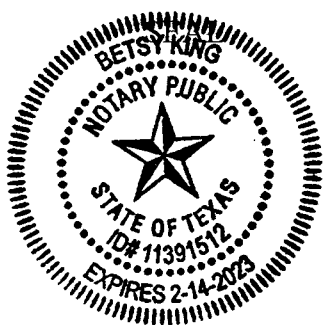
RESPONDENT'S CERTIFICATION

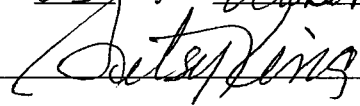
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order 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 23 day of October, 2020.


CASEY LEANE ROSKYDOLL, RESPONDENT

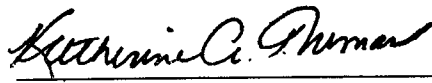
Sworn to and subscribed before me this 23 day of October, 2020.




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 23rd day of October, 2020, by CASEY LEANE ROSKYDOLL, Vocational Nurse License Number 314253, and said Agreed Order is final.

Effective this 8th day of December, 2020.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas", written over a horizontal line.

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