



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
Registered Nurse License Number 854151 §
issued to BRENNAN ANN STEVENS §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BRENNAN ANN STEVENS, Registered Nurse License Number 854151, 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 February 4, 2021.

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 professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas, on December 13, 2013. Respondent was licensed to practice professional nursing in the State of Texas on April 8, 2014.
5. Respondent's nursing employment history includes:

04/2014 – 11/2018	RN	BSA Hospital Amarillo, Texas
12/2018	Unknown	

Respondent's nursing employment history continued:

01/2019 – Present	RN/PRN	NurseCore of Amarillo Amarillo, Texas
02/2019 – Present	RN	Vibra Rehabilitation Hospital Amarillo, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with BSA Hospital, Amarillo, Texas, and had been in that position for four (4) years and seven (7) months.
7. On or about September 12, 2018 through September 13, 2018, while employed as a Registered Nurse with BSA Hospital, Amarillo, Texas, Respondent withdrew 8mg of Morphine and four (4) tablets of Hydrocodone-Acetaminophen 5/325mg from the medication dispensing system for patients without a valid physician's order. Respondent's conduct was likely to injure the patients, in that the administration of the medications without a valid physician's order could result in the patients 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 May 19, 2018 through October 24, 2018, while employed as a Registered Nurse with BSA Hospital, Amarillo, Texas, Respondent withdrew five (5) tablets of Hydrocodone-Acetaminophen 5/325mg, one (1) tablet of Hydrocodone/Acetaminophen 7.5/325mg, 2mg of Hydromorphone 2mg/1mL, 8 mg of Morphine 2mg/1mL, and 4 mg of Morphine 4mg/1mL from the medication dispensing system for patients, but failed to document and/or completely and accurately document the administration of the medication in the patient's Medication Administration Records and/or nurses' 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 May 19, 2018 through October 24, 2018, while employed as a Registered Nurse with BSA Hospital, Amarillo, Texas, Respondent withdrew five (5) tabs of Hydrocodone-Acetaminophen 5/325mg, one (1) tablet of Hydrocodone/Acetaminophen 7.5/325mg, 2mg of Hydromorphone 2mg/1mL, 8 mg of Morphine 2mg/1mL, and 12mg of Morphine 4mg/1mL from the medication dispensing system for patients, but failed to follow the facility's policy and procedures for wastage of the unused portions of the medication. Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

10. On or about May 19, 2018 through October 24, 2018, while employed as a Registered Nurse with BSA Hospital, Amarillo, Texas, Respondent failed to take precautions to prevent misappropriation of 0.5mg of Hydromorphone 2mg/1mL from Patient J. H., five (5) tablets of Hydrocodone-Acetaminophen 5/325mg from Patients C.H. and M.H., 4mg of Morphine 2mg/1mL from Patient M.H., and one (1) tablet of Hydrocodone/Acetaminophen 7.5/325mg from Patient A.K., belonging to the facility or patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
11. In response to Findings of Fact Numbers Seven (7) through Twelve (10), Respondent states there was a miscommunication between the Pyxis and EPIC, which would not allow a partial dose of Morphine to be returned and would only allow return of milligrams, not vials. Respondent states she knew she pulled medications for her orientee during emergent situations but always made sure it was scanned and given considering her name was on the narcotic being pulled. Respondent states she is sure if she had pulled a medication and another nurse scanned, more than likely the Pyxis and EPIC did not connect the two events. Respondent admits to scanning the patient sticker that was on her computer instead of scanning the patient's armband.
12. Formal Charges were filed on October 1, 2019.
13. On or about September 25, 2019, Respondent underwent a Chemical Dependency Evaluation performed by Kerri Bates, Psy.D. Bates states that it is impossible to determine if Respondent did indeed misappropriate medication based on the evaluation, however, Respondent does not appear to have a substance dependence disorder that would prevent her from practicing nursing with reasonable skill and safety to her patients. Dr. Bates states Respondent's personality testing revealed an overall well-adjusted individual who had no indications of somatic, cognitive, emotional, thought, or behavioral dysfunction.
14. On or about July 9, 2020, while employed as a Registered Nurse with Patriot Placement and Recruitment, Amarillo, Texas, and assigned to Country View Living, Dimmitt, Texas, Respondent falsely documented in Patient Medical Record Number 22018's Medication Administration Record (MAR) that she administered Hydrocodone to the patient. Furthermore, Patient Medical Record Number 22018 denies having pain and having received Hydrocodone that morning. Respondent's conduct created an inaccurate medical record and failure to administer medication as ordered by the physician could have resulted in non-efficacious treatment.
15. On or about July 9, 2020, while employed as a Registered Nurse with Patriot Placement and Recruitment, Amarillo, Texas, and assigned to Country View Living, Dimmitt, Texas, Respondent misappropriated one (1) tablet of Hydrocodone 7.5/325 mg belonging to the facility and patient thereof, or failed to take precautions to prevent such misappropriation, in that Patient Medical Record Number 22018 was drug screened which produced a

negative result for Hydrocodone. Respondent's conduct was likely to defraud the facility and patient thereof of the cost of the medications.

16. First Amended Formal Charges were filed and Respondent's license was temporarily suspended on October 20, 2020.
17. In response to Findings of Fact Numbers Fourteen (14) through Fifteen (15), Respondent states she has never had any issues with substance abuse, and both of her treating physicians have written letters stating she does not abuse drugs. Patient Medical Record number 22018 had dementia, which renders him not a credible witness. Nineteen character letters from various nurses and others who have known and worked with Respondent were submitted.

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),(4),(6)(G),(8),(10)(C),(10)(E)&(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 Registered Nurse License Number 854151, heretofore issued to BRENNNA ANN STEVENS.
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 Registered Nurse License Number 854151, previously issued to BRENNNA ANN STEVENS, 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" 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 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.
- D. 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 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. **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.

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

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

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 first three (3) month [1st 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 [2nd quarter] period, random screens shall be performed at least twice per month.
- For the next six (6) month period [3rd & 4th 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.

VII. 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.

VIII. 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 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 5th day of February, 2021.

Brenna Ann Stevens
BRENNAN ANN STEVENS, RESPONDENT

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

SEAL

Notary Public in and for the State of _____

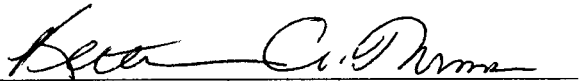
Approved as to form and substance.

Deborah Goodall
DEBORAH GOODALL, Attorney for Respondent

Signed this 5th day of February 2021.

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 5th day of February, 2021, by BRENNNA ANN STEVENS, Registered Nurse License Number 854151, and said Agreed Order is final.

Effective this 8th day of February, 2021.

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