

**In the Matter of
Permanent Registered Nurse
License Number 665020
Issued to KASIE C RUDOLPH,
Respondent**

**§ BEFORE THE TEXAS
§
§ BOARD OF NURSING
§
§ ELIGIBILITY AND
§
DISCIPLINARY COMMITTEE**

ORDER OF THE BOARD

TO: Kasie Rudolph
2441 S Bypass 35 Apt 110
Alvin, TX 77511

During open meeting held in Austin, Texas, on September 14, 2021, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN. CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 665020, previously issued to KASIE C RUDOLPH to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 14th day of September, 2021

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed July 15, 2021

d17r(2021.08.17)

Re: Permanent Registered Nurse License Number 665020
Issued to KASIE C RUDOLPH
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of September, 2021, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested,
Copy Via USPS First Class Mail

Kasie Rudolph
2441 S Bypass 35 Apt 110
Alvin, TX 77511

BY: _____



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of
Permanent Registered Nurse
License Number 665020
Issued to KASIE C RUDOLPH,
Respondent

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BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KASIE C RUDOLPH, is a Registered Nurse holding license number 665020 which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about March 19, 2021, Respondent became noncompliant with the Agreed Order for Peer Assistance Program issued to her by the Texas Board of Nursing on October 23, 2018. Noncompliance is the result of her failure not to fulfill the work component of the participation agreement. Section I, Stipulation D of the Agreed Order dated October 23, 2018, states:

"(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 in current status."

On or about March 19, 2021, Respondent was dismissed from TPAPN and referred back to the Board.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order(s) of the Board dated October 23, 2018.

Filed this 15th day of July, 2021.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Deputy General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 24036103

Brian L. Miller, Jr., Assistant General Counsel
State Bar No. 24117478

JoAnna Starr, Assistant General Counsel
State Bar No. 24098463

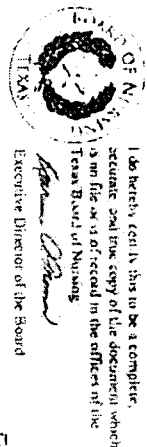
Jacqueline A. Strashun, Assistant General Counsel
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333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-8657
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Attachment(s): Order(s) of the Board dated October 23, 2018.

D(2021.05.26)



BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Registered Nurse License Number 665020
issued to KASIE C RUDOLPH

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the matter of KASIE C RUDOLPH, Registered Nurse License Number 665020, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b) (3)&(12), 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 17, 2018. .

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 Alvin Community College-Ad, Alvin, Texas, on May 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on November 16, 1999.
5. Respondent's nursing employment history is unknown.
6. On or about July 20, 2018, Respondent submitted a Delinquent License Renewal Form to the Texas Board of Nursing and answered "Yes" to the following question:

In the Past 5 years, have you been addicted to or treated for the use of alcohol or any other drug?

Respondent entered On The Path To Recovery Drug Addiction and Alcoholism Rehabilitation Treatment center for inpatient treatment on or about October 26, 2017 and completed the inpatient treatment on or about December 11, 2017. She also, entered Santa Maria Hostel Inc., Addiction, Recovery Treatment center for outpatient treatment on or about December 27, 2017, and completed the outpatient treatment on or about January 12, 2018.

7. On or about July 20, 2018, Respondent submitted a Delinquent License Renewal Form to the Texas Board of Nursing and answered "Yes" to the following question: Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal.
- A. been arrested or any pending criminal charges?
 - B. been convicted of a misdemeanor?
 - C. been convicted of a felony? pled nolo contendere, no contest, or guilty?
 - D. pled nolo contendere, no contest, or guilty?
 - E. received deferred adjudication?
 - F. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
 - G. been sentenced to serve jail or prison time? court-ordered confinement?
 - H. been granted pre-trial diversion?
 - I. been cited or charged with any violation of the law?
 - J. been subject of a court-martial; Article 15 violation, or received any form of military judgment/punishment/action?"

Respondent disclosed that, on or about October 26, 2016, Respondent entered a plea of Guilty to POSSESSION OF A CONTROLLED SUBSTANCE, a State Jail Felony offense committed on July 28, 2016, in the 239th District Court of Brazoria County, Texas, under Cause No. 79346-CR. As a result of the plea the proceedings against Respondent were Deferred without entering an adjudication of Guilt, and Respondent was placed on probation for a period of four (4) years and ordered to pay a fine, court costs and restitution in the amount of one hundred fifty dollars (\$150.00).

Furthermore, Respondent disclosed that, on or about October 26, 2016, Respondent entered a plea of Guilty to POSSESSION OF A CONTROLLED SUBSTANCE, a State Jail Felony offense committed on April 11, 2016, in the 239th District Court of Brazoria County, Texas, under Cause No. 78863-CR. As a result of the plea the proceedings against Respondent were Deferred without entering an adjudication of Guilt, and Respondent was placed on probation for a period of four (4) years and ordered to pay a fine, court costs and restitution in the amount of three hundred fifty dollars (\$350.00).

8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states she was admitted into the Path to Recovery program after serving time where she completed the 46-day program. She also completed an outpatient program and is current on all her probation requirements. Respondent has a plan in place to stay sober and clean. She had some personal issues which led to her drug use of methamphetamines. She has been sober for 1 year and has not practiced as nurse since 2014.
9. 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 of 22 TEX. ADMIN. CODE §217.12 (5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(3) &(12), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 665020, heretofore issued to KASIE C RUDOLPH.
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. PEER ASSISTANCE PROGRAM REQUIREMENTS

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

- A. Within forty-five (45) days following the effective date of this Order, RESPONDENT SHALL apply to TPAPN.
- B. Within ninety (90) days following the effective date of this Order, RESPONDENT SHALL sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee payable to TPAPN in the amount of five hundred dollars (\$500.00), if licensed as a registered nurse, or in the amount of three hundred fifty dollars (\$350.00), if licensed as a vocational nurse.
- C. Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.
- 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 in current status.
- 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. 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. 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 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.

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.*

IV. EFFECT OF NONCOMPLIANCE

SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in 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.

V. 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) 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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CONTINUED ON NEXT PAGE.

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. 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 possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

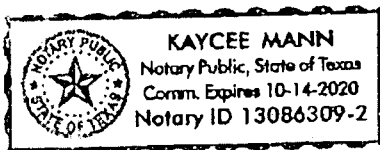
Signed this 17 day of October, 2018.

Kasie Rudolph
KASIE C RUDOLPH, Respondent

Sworn to and subscribed before me this 17th day of October, 2018.

SEAL

Kaycee Mann
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 17th day of October, 2018 by KASIE C RUDOLPH, Registered Nurse License Number 665020, and said Agreed Order is final.

Effective this 23rd day of October, 2018



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