

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 982073	§	
issued to KRISTINE ELLEN PALMER	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KRISTINE ELLEN PALMER, Registered Nurse License Number 982073, 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 November 29, 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 suspended status.
4. Respondent received a Baccalaureate Degree in Nursing from Bellarmine College, Louisville, Kentucky, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on January 8, 2020.
5. Respondent's nursing employment history includes:

2/26/2020 – Unknown	RN	Coon Memorial Hospital Dalhart, Texas
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Respondent's nursing employment history continued:

11/9/2020 – 9/2021

RN

Rolling Plains Memorial
Hospital
Sweetwater, Texas

6. On or about September 10, 2019, Respondent was issued an Agreed Order through an Order of the Board. A copy of the September 10, 2019, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about December 8, 2020, Respondent was issued the sanction of Reprimand with Stipulations and Fine through an Order of the Board. A copy of the December 8, 2020, Order is attached and incorporated herein by reference as part of this Agreed Order.
8. On or about May 26, 2021, Respondent failed to comply with the Agreed Order issued to Respondent on December 8, 2020, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section VIII, "DRUG AND ALCOHOL RELATED REQUIREMENTS," Part A, of the Agreed Order which states, in pertinent part:

RESPONDENT SHALL abstain from the use of alcohol, nalbuphine, propofol and all controlled substances, except as prescribe by a licensed practitioner for a legitimate purpose.

On May 26, 2021, Respondent tested positive for 1054 ng.ml ethyl glucuronide and 206 ng/ml ethyl sulfate, metabolites of alcohol.
9. Respondent provided negative drug tests for June 4, 2021, June 23, 2021, May 6, 2021, August 6, 2021, September 15, 2021, October 15, 2021, and November 1, 2021. Respondent also provided three letters of recommendation from her current supervisors in support of her work as a nurse and indicating that she never reported for duty impaired.
10. Respondent's date of sobriety if June 4, 2021.
11. Formal Charges were filed and Respondent's license was suspended on November 17, 2021.

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 (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 982073, heretofore issued to KRISTINE ELLEN PALMER.
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 982073, previously issued to KRISTINE ELLEN PALMER, to practice nursing in the State of Texas is/are hereby **SUSPENDED** and said suspension is **ENFORCED** until RESPONDENT:

- A. Completes an appropriate treatment program approved by the Board;
- B. Provides documentation of successful completion; and
- C. Obtains twelve (12) consecutive months of sobriety, which may be demonstrated by monthly urine drug screens consistent with the "DRUG AND ALCOHOL RELATED REQUIREMENTS" of this Order.

Any relapse prior to the completion of the required twelve (12) consecutive months of sobriety will result in revocation or, at a minimum, an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

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 a minimum of three (3) years **AND** until RESPONDENT fulfills the additional requirements of this Order.

- D. RESPONDENT SHALL submit an application for licensure renewal/reactivation, as applicable, and pay all re-registration fees, if any, and RESPONDENT'S licensure status in the State of Texas will be activated and updated to current status and to reflect the applicable conditions outlined herein.
- E. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- F. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- g. Until successfully completed, RESPONDENT may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- H. 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. 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 suspension being stayed, 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.*

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. 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. 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 [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
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.

- 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. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

IX. CONSEQUENCES OF CONTINUED NONCOMPLIANCE

Continued noncompliance with the unfulfilled requirements of this or any Order previously issued by the Texas Board of Nursing, as applicable, may result in further investigation and subsequent disciplinary action, including denial of licensure renewal or revocation of RESPONDENT'S license(s) and/or privileges to practice nursing in the State of Texas.

X. 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.

XI. 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.

RESPONDENT'S CERTIFICATION

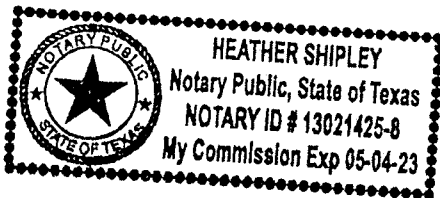
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3rd day of Dec, 2021
Kristine Ellen Palmer
KRISTINE ELLEN PALMER, RESPONDENT

Sworn to and subscribed before me this 3rd day of Dec, 2021.

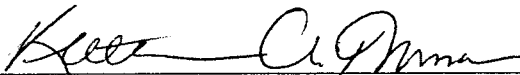
SEAL

Heather Shipley
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 3rd day of December, 2021, by KRISTINE ELLEN PALMER, Registered Nurse License Number 982073, and said Agreed Order is final.

Effective this 8th day of December, 2021.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Registered Nurse License Number 982073	§	
issued to KRISTINE ELLEN PALMER	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KRISTINE ELLEN PALMER, Registered Nurse License Number 982073, 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 October 7, 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 professional nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from Bellarmine College, Louisville, Kentucky, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on January 8, 2020.
5. Respondent's nursing employment history includes:

2/26/2020 – Present

RN

Coon Memorial Hospital
Dalhart, Texas

6. On or about September 10, 2019, Respondent was issued an Eligibility Agreed Order through an Order of the Board. A copy of the September 10, 2019, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the initial incident, Respondent was employed as a, Registered Nurse, Coon Memorial Hospital, Dalhart, Texas, and had been in that position for six (6) months.
8. On or about June 8, 2020 and June 17, 2020, and July 8, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on September 10, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section IV, "DRUG AND ALCOHOL RELATED REQUIREMENTS," Part A and B, of the Agreed Order which states: "PETITIONER SHALL CAUSE abstain from the use of alcohol, tramadol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose." On or about June 8, 2020 and June 17, 2020, and July 8, 2020, Respondent tested positive for Ethyl Glucuronide (Alcohol) and Ethyl Sulfate.
9. On or about August 10, 2020, Respondent submitted a letter of recommendation from Sara Suggs to the Texas Board of Nursing in response an investigation. Sara Suggs confirmed that she did not write, sign, or initial a letter of recommendation for Respondent or give Respondent permission to do so on her behalf. Respondent's conduct provided false and misleading information that could reasonably affect a decision regarding her license(s).
10. In response to Finding of Fact No. Eight (8), Respondent states that her employer's laboratory at Coon Memorial Hospital improperly collected all of the allegedly positive specimens and did not follow appropriate chain of custody. Chain of custody was confirmed, by the hospital's CEO and Director of Infection, to not have been followed on at least one occasion. Respondent believes the lab technician held a personal grudge against her and purposefully mixed up her specimens on more than one occasion. In response to Finding of Fact No. Nine (9), Respondent states that she discussed the letter of recommendation with Ms. Suggs, who agreed that Respondent could draft the letter and initial it on her behalf for submission to the Board. Respondent denies drinking alcohol while under the terms of the September 10, 2019 Agreed Order. Respondent submitted a hair follicle test collected on July 20, 2020 that resulted negative for Ethyl Glucuronide (Alcohol). Respondent's coworkers also wrote letters indicating that she never appeared intoxicated while at work.

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 (6)(H),(6)(I), & (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 982073, heretofore issued to KRISTINE ELLEN PALMER.
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 AND FINE** 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. 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.*

VI. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of the effective date of this Order.

Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

VII. 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.

VIII. 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
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.

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 3rd day of November, 2020.

Kristine Ellen Palmer
KRISTINE ELLEN PALMER, 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,

Elisabeth Betty Smith
Elisabeth Betty Smith, Attorney for Respondent

Signed this 10th day of November, 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 November, 2020, by KRISTINE ELLEN PALMER, Registered Nurse License Number 982073, 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".

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	ELIGIBILITY
KRISTINE ELLEN PALMER,	§	AGREED ORDER
PETITIONER for Eligibility for Licensure	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Endorsement Application, which has been processed as a Petition for Declaratory Order, herein referred to as the Petition, pursuant to 22 TEX. ADMIN. CODE §217.5(f) & §213.30, and supporting documents filed by KRISTINE ELLEN PALMER, hereinafter referred to as PETITIONER, requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.257 and 301.260, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.5(f) and §213.30, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that Petitioner may be ineligible for licensure pursuant to Sections 301.452(b)(8) & (12) and 301.453, Texas Occupations Code.

Petitioner waived notice and hearing and agreed to the entry of this Eligibility Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on April 16, 2019.

FINDINGS OF FACT

1. On or about July 27, 2018, Petitioner submitted the Petition requesting a determination of eligibility for licensure.
2. Petitioner received a Baccalaureate Degree in Nursing from Bellarmine College, Louisville, KY, on May 1, 1997.
3. On or about October 29, 2014, Petitioner was Denied licensure by the Board of Nursing. A copy of the October 29, 2014, denial letter is attached and incorporated by reference as part of this Order.

4. On or about March 13, 2019, Petitioner presented to Jim Womack, Ph.D., OF Balance, Forensic & General Psychological Services, Inc., Fort Worth, Texas, for psychological testing, and an interview. As a result, Dr. Womack was able to offer the following Conclusion and Recommendation:

Dr. Womack stated that Petitioner is capable of conforming to the requirements of the Nursing Board and the Board Rules. In Dr. Womack's professional opinion, Petitioner has no mental disease or defect impairing her ability to think rationally; however, the question remains as to whether or not she can continue her apparent abstinence from abusing alcohol. Petitioner is not likely to repeat criminal conduct reflected in her record. Petitioner is not a danger to the public. Within the last five years there is no evidence she has become intoxicated and operated a motor vehicle; that she has performed any nursing duties under the influence of alcohol; or that she has consumed alcohol prior to her performing nursing duties.

5. Petitioner completed the Petition and answered Yes to the question which reads as follows: *"Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"*
6. On October 10, 1997, Petitioner was issued PROBATION by the Kentucky Board of Nursing. A copy of the October 10, 1997, Agreed Order is attached and incorporated by reference as part of this Order.
7. On August 20, 1999, Petitioner satisfied all terms and conditions as set forth in the Agreed Order issued on October 10, 1997, by the Kentucky Board of Nursing.
8. On April 23, 2013, Petitioner was issued a SUSPENSION by the Montana Board of Nursing. A copy of the April 23, 2013, Summary Suspension Order is attached and incorporated by reference as part of this Order.
9. On October 23, 2013, Petitioner was issued a VOLUNTARY SURRENDER by the Montana Board of Nursing. A copy of the October 23, 2013, Stipulations and Final Order is attached and incorporated by reference as part of this Order.
10. On July 15, 2014, Petitioner was issued a VOLUNTARY SURRENDER by the Kentucky Board of Nursing. A copy of the July 15, 2014, Agreed Order for Voluntary Surrender is attached and incorporated by reference as part of this Order.

11. After considering the action taken by the Kentucky, and Montana Boards of Nursing, along with Petitioner's subsequent conduct, the Executive Director is satisfied that Petitioner should be able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
12. The safety of patients and the public requires that all persons licensed to practice nursing be fit, sober, and able to consistently practice nursing in autonomous roles under demanding and stressful conditions.
13. The Executive Director considered evidence of Petitioner's past behavior in light of the factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for licensure.
14. The Executive Director considered evidence of Petitioner's substance use disorder, and subsequent rehabilitation as provided in 22 TEX. ADMIN. CODE §213.29 and in accordance with 22 TEX. ADMIN. CODE §213.33.
15. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
16. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
17. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. On or about July 27, 2018, Petitioner submitted the Petition requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.257, and 301.260, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §217.5(f) and §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for denial of a license under Section 301.452(b)(8) & (12), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.

5. The Board may license an individual who has a history of substance use disorder after consideration of the criteria set out in 22 TEX. ADMIN. CODE §213.29 if the Board determines the individual does not pose a direct threat to the health and safety of patients or the public.
6. The Board may license an individual upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, if the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
7. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

TERMS OF ORDER

I. ELIGIBILITY FOR LICENSURE AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that the PETITION is hereby **GRANTED**, and upon payment of any required fees and meeting all other applicable requirements, PETITIONER SHALL be issued the applicable license to practice nursing in the State of Texas in accordance with the terms of this Order.

- A. Until successfully completed, any and all licenses issued to Petitioner shall be subject to the terms of this Order.
- B. This Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, PETITIONER'S license will be designated "single state" and PETITIONER 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, PETITIONER 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 Eligibility Agreed Order.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) within one (1) year of licensure, 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), PETITIONER 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. PETITIONER 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. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, PETITIONER 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 four (4) quarterly periods [one (1) year]

of employment. This requirement will not be satisfied until four (4) 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:** PETITIONER 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, PETITIONER 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:** PETITIONER 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. PETITIONER 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:** PETITIONER 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 PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **Nursing Performance Evaluations:** PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the individual who supervises the PETITIONER 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 four (4) quarters [one (1) year] of employment as a nurse.

V.

DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, PETITIONER 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, PETITIONER 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 PETITIONER 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, PETITIONER 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 PETITIONER obtains employment and submits the Notification of Employment form to the Board.
- For the first three (3) month [1st quarter] period PETITIONER 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 PETITIONER 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. PETITIONER 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, **PETITIONER SHALL, on a daily basis, call or login online to the Board's designated drug and alcohol testing vendor to determine whether or not PETITIONER 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 PETITIONER'S place of employment at any time during the probation period and require PETITIONER to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which PETITIONER does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject PETITIONER to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Petitioner'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.

VI. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the PETITIONER'S conduct, as outlined in the findings of fact of this Eligibility Agreed Order, result in subsequent judicial action, including a deferred disposition, PETITIONER may be subject to further disciplinary action, up to, and including, revocation of PETITIONER'S license(s) to practice nursing in the State of Texas.

VII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Eligibility Agreed Order, all encumbrances will be removed from PETITIONER'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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application/petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

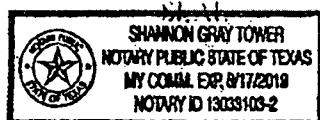
I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including REVOCATION of my license(s) and/or nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 22 day of May, 2019.

Kristine Ellen Palmer
KRISTINE ELLEN PALMER, Petitioner

Sworn to and subscribed before me this 22 day of May, 2019.



Shannon Gray Tower
Notary Public in and for the State of TX

Approved as to form and substance.

A. Clay Graham
Clay Graham, Attorney for Petitioner

Signed this 22nd day of May, 2019.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Eligibility Agreed Order that was signed on the 22nd day of May, 2019, by KRISTINE ELLEN PALMER, PETITIONER for Eligibility for Licensure, and said Eligibility Agreed Order is final.

Effective this 10th day of September, 2019.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov
Katherine A. Thomas, MN, RN, FAAN
Executive Director

October 29, 2014

Certified Mail No. 91 7199 9991 7031 1043 1992
Return Receipt Requested

Kristine Ellen Palmer
9600 Gold Lakes Trail, Apt. 2100
Dallas, Texas 75231

Dear Kristine Ellen Palmer:

Your Temporary License/Endorsement Application and the supporting information related to you potential ineligibility for licensure under the Nursing Practice Act and the Board's Rules and Regulation Relating to Nurse Education, Licensure and Practice was considered by the Executive Director of the Board on October 7, 2014, pursuant to the Occupations Code §§301.257, 301.452, and 301.453. You have been found to be ineligible for licensure as a nurse in the State of Texas based upon the grounds discussed below

Our records indicate the following:

- * On or about October 10, 1997, you were issued an Agreed Order by the Kentucky Board of Nursing, granting you permission to sit for the nursing exam followed by eighteen (18) month probation. The disciplinary action was taken as a result of your criminal history. During the August 19 - 20, 1999, regular meeting it was determined that the restrictions should be removed from your license.
- * On or about April 23, 2013, you were issued a Notice of Proposed Board Action, Summary Suspension and Opportunity for Hearing, by the Montana Board of Nursing, suspending your nursing license pending further investigation of allegations. The investigation was opened after the Board received a complaint from one of your treating psychiatrists who questioned whether you were adhering to your monitoring requirements, and requested the Board investigate your current status regarding work safety and treatment.
- * On or about October 23, 2013, you were issued a Stipulation and Final Order by the Montana Board of Nursing, accepting the surrender of your nursing license.

You are subject to denial of licensure for this conduct pursuant to the following subsections of the Occupations Code §301.452(b):

- ...(8) revocation, suspension, or denial of, or any other action relating to, the person's license to practice nursing in another jurisdiction; and
- ...(10) unprofessional or dishonorable conduct that, in the Board's opinion, is likely to deceive, defraud, or injure a patient or the public.

Members of the Board

Kathleen Shipp, MSN, RN, FNP
Lubbock, President

Nina Alamey, MSN, RN Austin	Deborah Bell, CLU, ChFC Abilene	Patricia Clapp, BA Dallas	Tamara Cowan, MSN, RN Harlingen	Sheri Crushy, JD, SPIIR Dallas	Marilyn Davis, MPA, BSN, RN Sugar Land
Shelby Elzey, DHA Midlothian	Moulton Hainley, LYN Vineville	Kelby Leader-Flora, LYN Cranbury	Mary M. LeDuck, MSN, RN Weatherford	Joetion Lujan, PhD, RN El Paso	Beverly Jean Nutall, LYN Daly

Further, pursuant to §301.452(c), the Board may refuse to admit a person to a licensing examination for a ground described under §301.452(b).

Further, the Board has adopted rules, located at 22 Tex. Admin. Code §213.28, that set forth the considerations and criteria for determining the effect of criminal offenses on the eligibility of a person to obtain a license. The Board may refuse to approve persons to take the licensure examination, may refuse to issue or renew a license or certificate of registration, or may refuse to issue a temporary permit to any individual that has been convicted of or received a deferred disposition for a felony, a misdemeanor involving moral turpitude, or engaged in conduct resulting in the revocation of probation. A review of your file indicates that you are ineligible for licensure based upon the factors set forth in §213.28.

The Board also requires petitioners to demonstrate their ability to consistently conform to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice; to possess good professional character; and to pose no threat to the health and safety of patients and the public. The Board has adopted a rule, located at 22 Tex. Admin. Code §213.27, that sets forth the factors and disciplinary and eligibility policies and guidelines that must be used in evaluating good professional character in eligibility and disciplinary matters. Based upon the factors specified in §213.27, you have failed to provide sufficient evidence of good professional character required by §213.27. Further, based upon your criminal history, the Board's Disciplinary Guidelines for Criminal Conduct require the denial of your licensure.

The Board's rules, 22 Tex. Admin. Code §213.27 - §213.33, the Board's Disciplinary Sanction Policies, including the Board's Disciplinary Guidelines for Criminal Conduct, and the Occupations Code Chapter 53, are hereby incorporated by reference herein and may be located on the Board's website at www.bon.texas.gov.

Due to this denial, you have the right to a public hearing before an Administrative Law Judge with the State Office of Administrative Hearings. Should you decide to appeal the decision to deny you licensure, please submit a written request for a public hearing, to the attention of Kathy Hoffman, Office of General Counsel, 333 Guadalupe, Suite 3-460, Austin, Texas, 78701. Your written request to appeal this decision must be received in our office within sixty (60) days of the date of this letter. Further, if this office receives information regarding additional criminal conduct or behavior that has not been previously disclosed to or discovered by this office, please be advised that evidence of such additional criminal conduct or behavior may be used against you during the public hearing in this matter to show that you lack the good professional character and other requirements for licensure.

Sincerely,



Katherine A. Thomas, MN, RN, FAAN
Executive Director

KT/063

s.wpd(2014.09.02)

KENTUCKY BOARD OF NURSING

AGREED ORDER
CASE #97-564

IN RE: KRISTINE ELLEN BONNIE PALMER RN APPLICANT/EXAMINATION

The Kentucky Board of Nursing, hereinafter referred to as the Board, having evidence Kristine Ellen Bonnie Palmer was in violation of KRS Chapter 314 and Kristine Ellen Bonnie Palmer, desiring to avoid the necessity of a formal hearing, do enter into this Agreed Order in lieu of proceeding with a formal administrative hearing.

The Board acknowledges receipt of three (3) letters of recommendation, including two (2) letters from Ms. Palmer's registered nurse program faculty members.

Kristine Ellen Bonnie Palmer, hereinafter referred to as Ms. Palmer, agrees and stipulates to the following facts and conditions for the limited purpose of this Agreed Order:

1. That on the application for licensure as a registered nurse by examination, signed and dated May 12, 1997, Ms. Palmer answered "Yes" to the question concerning whether she had ever been convicted of a misdemeanor or felony and reported a misdemeanor conviction for Disorderly Conduct in Jefferson County, Kentucky. Ms. Palmer represented initially to the Board that the Disorderly Conduct conviction was as a result of a loud party.

However, the misdemeanor offense of Disorderly Conduct on February 8, 1996 in Jefferson County, Kentucky was actually as a result of an arrest for Operating a Motor Vehicle Impaired 2nd offense within five years which was amended to Disorderly Conduct, and she was subsequently convicted of Contempt of Court on May 22, 1996 in Jefferson County, Kentucky for failure to pay the fine and court costs in a timely manner.

That in addition, Ms. Palmer failed to report a misdemeanor conviction for Operating a Motor Vehicle Under the Influence of Intoxicants 1st offense on March 23, 1992 in Jefferson County, Kentucky.

Ms. Palmer acknowledges such actions are in violation of KRS 314.091(1)(a) guilty of fraud or deceit in procuring or attempting to procure a nursing license; (b) conviction of a misdemeanor or felony; (d) acted in a manner inconsistent with the practice of nursing and (f) willfully or repeatedly violated any of the provisions of Kentucky Revised Statutes Chapter 314, including KRS 314.021(2) and KRS 314.073(6).

2. Ms. Palmer understands and agrees the above stipulated facts will be disclosed to the Board during the consideration of this Agreed Order. All parties understand these stipulations may not be used for any evidentiary purpose in the event this Agreed Order is not accepted by the Board. Should a hearing be

scheduled Ms. Palmer agrees no challenge to the impartiality of the hearing panel will be made because of the disclosure of the above stipulated facts, or any other facts the Board considers relevant, during the course of consideration of this Agreed Order by the Board.

- 3 Ms. Palmer understands she will be admitted to the National Council Licensure Examination (NCLEX) for registered nurse licensure and that a temporary work permit will be issued only upon approval of this Agreed Order by the Board and if all other requirements have been met.
4. If Ms. Palmer passes the NCLEX, she agrees that the registered nurse license will be issued on probated status for a period of eighteen (18) months of employment as a registered nurse.
5. Ms. Palmer understands the period of probation will not begin until she is employed as a registered nurse. If Ms. Palmer has not obtained employment as a nurse within two (2) years of this Order, the matter shall be considered by Board staff in accordance with Board guidelines for such cases. Ms. Palmer agrees to abide by the Board-directed determination.
6. While on probation, Ms. Palmer agrees to comply with the following terms:
 - a) If Ms. Palmer is employed in nursing or a related health care field, she will provide a copy of the Board's Order to the immediate nursing supervisor and prior to employment, the nursing supervisor will discuss the terms of the Order with a Board representative. Further, it is incumbent upon Ms. Palmer to notify the Board representative if there is a change of nursing supervisors.
 - b) Ms. Palmer agrees that during the period of probation, she will have semi-annual visits with a Board representative in the Kentucky Board of Nursing office or at a mutually agreed upon location.
 - c) During the period of probation, Ms. Palmer agrees to have quarterly written reports submitted to the Board by her employer(s) if employed in nursing or a health related field. Ms. Palmer understands that an employer report indicating unsafe practice shall constitute prima facie evidence of a violation of the terms of this Agreed Order.
 - d) During the period of probation, Ms. Palmer agrees to remain free of alcohol and unprescribed mood altering substances. All prescriptions for mood altering medication must be verified in writing to the Board within five (5) days by the prescribing practitioner.

- e) During the period of probation, Ms. Palmer agrees to submit to random body fluid samples for drug/alcohol testing as requested by her employer(s) and Board staff. All such testing shall be at Ms. Palmer's expense. Ms. Palmer understands that a GC/MS (gas chromatography/mass spectrometry) confirmed drug screen indicating the use of alcohol or any unprescribed mood altering substances shall constitute prima facie evidence of a violation of the terms of this Agreed Order.
 - f) During the period of probation, Ms. Palmer agrees she may not be employed by a nurse registry, temporary nurse employment agency, or home health agency to provide direct patient care.
 - g) During the period of probation, Ms. Palmer shall immediately notify the Board of any change of name, address, employment, arrest and/or pending criminal charges.
 - h) Ms. Palmer agrees to provide evidence of successful completion of thirty (30) Board approved contact hours of continuing education on legal and ethical issues in nursing and thirty (30) contact hours on substance abuse within one (1) year of the date of issuance of the license. The sixty (60) contact hours are to be over and above any other continuing education required for reinstatement or renewal of the registered nurse license.
 - i) Ms. Palmer agrees to pay a civil penalty of four hundred fifty dollars (\$450) to the Board within one (1) year of the date of issuance of the license.
7. Ms. Palmer understands that failure to comply with any requirement as stated in this Agreed Order will result in the scheduling of a hearing to consider further action on the registered nurse license.
8. Submission of fraudulent documents or reports or misrepresentation of facts relating to the terms and conditions stated herein shall constitute a violation of the terms of probation and this Agreed Order.
9. Ms. Palmer understands that removal of the license from probation will depend upon satisfactory review of all relevant data and compliance with all terms of probation as stated in this Agreed Order. If all terms of probation are met, including the requirement she not commit any act during the probationary period which would be grounds for disciplinary action pursuant to KRS 314.091, no hearing will be required for removal of the license from probation.
10. By signing this Agreed Order, and if the Order is accepted by the Board, Ms. Palmer agrees to waive the right to a hearing on the charges made, including the right to be present with counsel, to subpoena witnesses, to confront those against her, to appeal the Board's decision as entered in the Agreed Order, and

Kristine Ellen Bonnie Palmer
Agreed Order
Page 4

the full panoply of rights of hearing and appeal authorized by statute, regulation, or court decision.

11. Ms. Palmer understands this Agreed Order, if approved by the Board, is public information and can be disseminated.
12. Ms. Palmer understands this Agreed Order is subject to full Board review and consideration before it is final and acceptable.

Kristine Ellen Bonnie Palmer
KRISTINE ELLEN BONNIE PALMER

I hereby certify that Kristine Ellen Bonnie Palmer signed this before me this 6th day of October, 1997.

Notary Public [Signature]

State of Kentucky

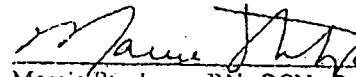
My Commission expires My Commission Expires Aug. 18, 2001

SEAL

Kristine Ellen Bonnie Palmer
Agreed Order
Page 5

Entered this 10th day of October 1997.

(Board Seal)



Marcia Stanhope, RN, DSN, FAAN, c
President
KENTUCKY BOARD OF NURSING

Kevin G. Maki
Special Assistant Attorney General
DEPARTMENT OF LABOR & INDUSTRY
Office of Legal Services
301 South Park Avenue
PO Box 200513
Helena, MT 59620-0513
Telephone: (406) 841-2058
Fax: (406) 841-2313
E-mail: KMaki2@mt.gov

BEFORE THE BOARD OF NURSING
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the Matter of the Proposed Discipline of KRISTINE E. PALMER, Registered Nurse, License No. 47283.	Case No. 2012-NUR-LIC-1081 NOTICE OF PROPOSED BOARD ACTION, SUMMARY SUSPENSION, AND OPPORTUNITY FOR HEARING
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TO: Kristine E. Palmer
4656 Orphans Lane
Shelbyville, KY 40065

On April 16, 2013, the Screening Panel of the Montana Board of Nursing (Screening Panel) considered information presented by the Montana Department of Labor and Industry (Department) and directed this *Notice of Proposed Board Action, Summary Suspension, and Opportunity for Hearing* (Summary Suspension Notice) be served upon Kristine E. Palmer.

SUMMARY SUSPENSION ORDER

Due to the nature and circumstances of the factual assertions set forth below, the Screening Panel finds that public health, safety, or welfare imperatively requires emergency action.

IT IS ORDERED that the Registered Nurse license of Kristine E. Palmer (Licensee) to practice in the state of Montana be immediately and summarily suspended for an indefinite period of time pending further investigative and disciplinary proceedings or other resolution of this matter.

ORIGINAL

Licensee shall return any and all documentation of licensure in person or by mail to the Board office within 24 hours of receiving this Summary Suspension Notice.

A. FACT ASSERTIONS

1. Licensee is licensed by the Montana Board of Nursing (Board) to practice as a Registered Nurse, holding Montana license no. 47283. The license expired on December 31, 2012, and the Board retains jurisdiction as provided by Mont. Code Ann. § 37-1-141 for two years after lapse.
2. The Board has subject matter jurisdiction and legal authority to bring this action under Mont. Code Ann. §§ 37-1-131, 37-1-136, 37-1-307, 37-1-309, and Title 37, chapter 8.
3. On August 17, 2012, the Department received a complaint from one of Licensee's treating psychiatrists who questioned whether she was adhering to monitoring, and requested the Board investigate Licensee's current status regarding her work safety and treatment.
4. The complaint stated that Licensee worked in a newborn intensive care unit (ICU) in Billings, MT.
5. Licensee failed to respond to the complaint.
6. On October 9, 2012, the Board's Screening Panel first reviewed the complaint. The Panel tabled the matter and requested an investigation by the Department for additional information.
7. By subpoena under the authority of Mont. Code Ann. § 37-1-307(1)(b), the Department obtained healthcare information pertaining to Licensee's treatment, which the Screening Panel reviewed on April 16, 2013 as part of the Department's report of investigation. In part, Licensee's healthcare information indicated a demonstrated mental illness, alcohol abuse, safety risks to patients due to Licensee's failure to appreciate the potential impact of her mental illness on her nursing practice, and the likelihood of Licensee practicing nursing without monitoring or psychiatric treatment.

8. Additionally, the investigation included information that Licensee presently works as a travel nurse in Texas.

9. The Screening Panel found reasonable cause to believe Licensee violated Title 37, chapter 1 of the Montana Code Annotated justifying disciplinary proceedings. The Screening Panel further directed that this formal Summary Suspension be served upon Licensee because public health, safety, and welfare imperatively require emergency action as a result of its finding that Licensee is unable to practice nursing with reasonable skill and safety and its concern that she could otherwise return to practice in Montana as a travel nurse.

B. CHARGE OF STATUTES, RULES, OR STANDARDS VIOLATED

The above facts establish reasonable cause to charge you with a violation of statutes, rules, or standards, as follows:

Mont. Code Ann. § 37-1-316. Unprofessional conduct. The following is unprofessional conduct for a licensee or license applicant governed by this part: . . .

(11) having a physical or mental disability that renders the licensee or license applicant unable to practice the profession or occupation with reasonable skill and safety.

C. STATEMENT OF RIGHTS AND PROCEDURES

1. You may request a hearing to determine whether your license should remain suspended pending further proceedings to contest these charges and present evidence and arguments on whether the suspension or revocation should be made permanent. To exercise your right to a hearing, you must send a written request within 20 days of your receipt of this Summary Suspension Notice, addressed as follows:

Becky Carter, Compliance Unit Supervisor
Business Standards Division
Department of Labor and Industry
301 South Park Avenue
PO Box 200513
Helena, Montana 59620-0513

2. Failure to request a hearing within 20 days of the receipt of this Notice constitutes a default and allows the Board to enter a Final Order of discipline against you on the basis of the facts available to it.

3. If you request a hearing within 20 days, the Commissioner of Labor and Industry will appoint an impartial hearings examiner to conduct the hearing. The hearings examiner will notify you and the Department of the time and place of the hearing. You have the right to appear in person or by or with counsel.

4. Procedural and substantive requirements governing this matter may be found at Montana Code Annotated Title 2, chapter 4, part 6; (Montana Administrative Procedure Act), Title 37, chapter 1, parts 1 and 3; and Title 37, chapter 8, including the right to a hearing before an impartial hearings examiner, the right to present evidence and testify and confront and cross-examine witnesses at the hearing, the right to be represented by legal counsel, the right to subpoena witnesses, and the right to request judicial review and appeal.

5. After a proposed decision of a hearing examiner, a default, or a stipulated agreement, the Board will issue a Final Order imposing one or any combination of the sanctions under rules adopted by the Board under Mont. Code Ann. § 37-1-136 and Mont. Code Ann. § 37-1-312(1) as follows:

- (a) revocation of the license;
- (b) suspension of the license for a fixed or indefinite term;
- (c) restriction or limitation of the practice;
- (d) satisfactory completion of a specific program of remedial education or treatment;
- (e) monitoring of the practice by a supervisor approved by the disciplining authority;
- (f) censure or reprimand, either public or private;
- (g) compliance with conditions of probation for a designated period of time;
- (h) payment of a fine not to exceed \$1,000 for each violation (deposited in the state general fund);


(i) denial of a license application;

(j) refund of costs and fees billed to and collected from a consumer.


6. You may request judicial review of a Final Order of the Board entered after consideration of a proposed decision of a hearing examiner by filing a petition in district court within 30 days of the issuance of a Final Order.

7. In lieu of a hearing, you may enter into a stipulated agreement resolving potential or pending charges that include one or more sanctions authorized by law.

DATED this 23rd day of April, 2013.


Brenda Schye
Chair, Screening Panel
BOARD OF NURSING

DATED this 25th day of April, 2013.


Kevin G. Maki
Special Assistant Attorney General
DEPARTMENT OF LABOR & INDUSTRY

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing *NOTICE OF PROPOSED BOARD ACTION, SUMMARY SUSPENSION, AND OPPORTUNITY FOR HEARING* was sent certified mail # 7011 04900003 1312 6640, postage prepaid, to the following:

Kristine E. Palmer
4656 Orphans Lane
Shelbyville, KY 40065

DATED this 25th day of April, 2013.


Department of Labor and Industry

BEFORE THE BOARD OF NURSING
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the Matter of the Proposed Discipline of KRISTINE E. PALMER, Registered Nurse, License No. 47283.	Case No. 2012-NUR-LIC-1081 STIPULATION and FINAL ORDER
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The Business Standards Division of the Department of Labor and Industry of the state of Montana (Department), by and through its legal counsel and Kristine E. Palmer (Licensee) stipulate and agree as follows:

1. Jurisdiction. Licensee is licensed as a registered nurse (RN) by the state of Montana Board of Nursing (Board), license no. 47283. The license expired December 31, 2012, and for disciplinary purposes, the Board retains jurisdiction in this matter for two years after the lapse of licensure, pursuant to Mont. Code Ann. § 37-1-141(9).
2. Waiver of Rights. Licensee has read and understands each term of the *Notice of Proposed Board Action, Summary Suspension, and Opportunity for Hearing* (Summary Suspension Notice) and this Stipulation, and understands the various rights provided, including the right to a hearing before an impartial hearings examiner, the right to present evidence and testify and confront and cross-examine witnesses at the hearing, the right to be represented by legal counsel, the right to subpoena witnesses, the right to request judicial review and appeal, and all other rights under Montana Code Annotated Title 2, chapter 4, part 6; (Montana Administrative Procedure Act), Title 37, chapters 1 and 8, and other applicable law. Licensee desires to avoid unnecessary expenditure of time and other valuable resources to resolve this matter. Therefore, Licensee voluntarily and knowingly waives the rights listed above and elects to resolve this matter on the terms and conditions of this Stipulation and acknowledges that no promise, other than those contained in this Stipulation, and no threat or improper assertion has

been made by the Board or Department or by any member, officer, agent or representative of the Board or Department to induce Licensee to enter into this Stipulation.

3. Release. This Stipulation is a final compromise and settlement of this contested case proceeding. Licensee, his or her assigns, agents, and representatives, releases the Board, its members, officers, agents, or representatives from any and all liability, claim, and cause of action, whether now known or contemplated, including but not limited to, any claims under Montana Code Annotated Title 2, chapter 9, part 3 (Montana Tort Claims Act), as amended, or any claim arising under 42 U.S.C. § 1983, which now or in the future may be based upon, arise out of, or relate to any of the matters raised in this case, its processing, investigation, litigation, or from the negotiation or execution of this Stipulation.

4. Entire Agreement. This Stipulation contains the entire agreement of the parties. All prior discussions and writings are superseded by this Stipulation, and no discussion by the Board prior to the approval of this Stipulation may be used to interpret or modify it. Any modification requires a written amendment signed by both parties and final Board approval.

5. Severability. If a court or administrative tribunal declares any term or condition contained in this Stipulation to be unenforceable for any reason, the unenforceable term or condition shall be severed from the remainder of this Stipulation, and the remainder of this Stipulation shall be interpreted and enforced according to its original intent.

6. Reservation. This Stipulation does not restrict the Board from initiating disciplinary action concerning allegations of unprofessional conduct that occur after the date Licensee signs this Stipulation or concerning allegations of conduct not specifically mentioned in this Stipulation that are now known to the Board or yet to be discovered.

7. Stipulation Subject to Final Approval. This Stipulation is subject to final approval by the Board.

8. Renewed Right to Hearing -- Inadmissibility of Stipulation. If the Board considers and does not approve this Stipulation, it is withdrawn and may not be considered as evidence

for any purpose. Licensee will have a renewed 20 days from the date of the publicly noticed Board meeting to submit a written request for a hearing in this matter. Failure by Licensee to request a hearing constitutes a default and allows the Board to enter a Final Order of discipline against Licensee. If, instead, this case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating to this Stipulation.

9. Entry of Final Order – Stipulated Facts & Violations: Licensee consents to the entry of a Final Order in this matter to the extent that is consistent with this Stipulation and has final approval by the Board. The following are the unconditionally admitted facts and violations that support the disciplinary sanctions specified below, hereby amending the Fact Assertions and Charge of Statutes, Rules, Or Standards Violated contained in the Summary Suspension Notice.

a. On August 17, 2012, the Department received a complaint from one of Licensee's treating psychiatrists in Montana who questioned whether she was adhering to monitoring, and requested the Board investigate Licensee's current status regarding her work safety and treatment.

b. The complaint stated that Licensee worked in a newborn intensive care unit (ICU) in Billings, MT.

c. Licensee failed to respond to the complaint.

d. On October 9, 2012, the Board's Screening Panel first reviewed the complaint. The Panel tabled the matter and requested an investigation by the Department for additional information.

e. By subpoena under the authority of Mont. Code Ann. § 37-1-307(1)(b), the Department obtained healthcare information pertaining to Licensee's treatment, which the Screening Panel reviewed on April 16, 2013 as part of the Department's report of investigation. In part, Licensee's healthcare information indicated a demonstrated mental disorder, alcohol

abuse, safety risks to patients due to Licensee's failure to appreciate the potential impact of her mental disorder on her nursing practice, and the likelihood of Licensee practicing nursing without monitoring or psychiatric treatment.

f. Additionally, the investigation included information that Licensee was working as a travel nurse in Texas.

g. The Screening Panel found reasonable cause to believe Licensee violated Title 37, chapter 1 of the Montana Code Annotated justifying disciplinary proceedings. The Screening Panel further directed that a formal Summary Suspension be served upon Licensee because public health, safety, and welfare imperatively require emergency action as a result of its finding that Licensee was unable to practice nursing with reasonable skill and safety and its concern that she could otherwise return to practice in Montana as a travel nurse.

h. The Department attempted to serve Licensee by certified mail with a copy of the Notice of Summary Suspension on April 25, 2013 at the address she provided to the Board. On June 11, 2013, the Department received the copy of the Summary Suspension Notice back from the United States Postal Service (USPS), marked "return to sender, unclaimed, unable to forward."

i. On June 12, 2013, the Department emailed a copy of the Summary Suspension Notice to Licensee at the email address she provided to the Board. The Department received notification that the email was delivered to Licensee's email address, but did not receive a "read receipt" confirmation that Licensee opened the email.

j. On June 13, 2013, the Department attempted to serve Licensee a copy of the Summary Suspension Notice by certified mail at a Texas address provided to the Department by Licensee's travel nurse agency. Additionally, the Department attempted to serve Licensee a copy of the Summary Suspension by regular mail at the address she provided to the Board.

k. Thereafter, Licensee contacted Department counsel, indicating that she received a copy of the Summary Suspension Notice by email. Licensee acknowledged that she failed to

respond to the complaint and did not previously receive the Summary Suspensions Notice because she had changed residences without updating her address with the Board.

l. Licensee further provided that she now permanently resides in Texas and no longer works as a travel nurse because of a recent offer for permanent employment as an RN. Licensee is seeking licensure in Texas and no longer intends to practice in Montana.

m. Licensee explained the period of time in which she required psychiatric treatment in Montana as approximately four weeks in which she experienced personal and financial stress. Presently, Licensee receives treatment in Texas.

n. Licensee's conduct of having a mental disability that rendered her unable to practice as an RN in Montana with reasonable skill and safety constitutes unprofessional conduct pursuant to Mont. Code Ann. § 37-1-316(11).

10. Stipulated Disciplinary Sanctions. Upon acceptance of this Stipulation by the Board, Licensee agrees to the following sanction:

a. As a result of Licensee's permanent relocation to Texas to practice nursing, the summary suspension against Licensee's RN license in Montana is hereby lifted because emergency action is no longer required to protect the public's health, welfare, and safety in Montana.

b. As a result of Licensee's intent to no longer practice nursing in Montana, Licensee agrees to surrender her RN license to practice in Montana.

d. Licensee shall return all documentation of licensure with the Board within twenty-four hours of receiving notice of entry of the Final Order in this matter.

e. The full Board shall review any future application Licensee submits to practice nursing in Montana.

11. Public Documents. The Summary Suspension Notice, this Stipulation, and a Final Order issued by the Board are public documents that the Department, at minimum, must

make publicly available on the Department's website and Professional databases, and may otherwise distribute to other interested persons or entities.

12. Complying with the Terms of the Stipulation. Licensee's failure to strictly abide by the terms of the Stipulation shall constitute a violation of the Final Order of the Board.



Kristine E. Palmer
Licensee

8/26/2013

DATE



Kevin G. Maki
Department Counsel
Montana Board of Nursing

10/01/2013

DATE

FINAL ORDER

The Board of Nursing (Board), enters as its Findings of Fact and Conclusions of Law, the stipulated facts and violations as stated in the Stipulation. The Board, giving primary consideration to the sanctions that are necessary to protect and compensate the public and secondary consideration to any sanctions designed to rehabilitate Kristine E. Palmer (Licensee), approves, adopts, and incorporates the Stipulation into this Final Order.

DATED this 23rd day of October, 2013.



Presiding Officer
Board of Nursing

CERTIFICATE OF SERVICE

I certify that I served true and accurate copies of the fully executed *STIPULATION and FINAL ORDER* by U.S. mail, postage prepaid, upon the following:

Kristine E. Palmer
9600 Golf Lakes Trail #2100
Dallas, TX 75231

DATED this 24 day of October, 2013.


Department of Labor and Industry

12-07-15

KENTUCKY BOARD OF NURSING
AGREED ORDER FOR VOLUNTARY SURRENDER
CASE #'s 2014-507 & 2014-611

IN RE: KRISTINE ELLEN BONNIE PALMER

RN LICENSE # 1087488
(INVALIDATED 1/10/2014)

The Kentucky Board of Nursing, hereinafter referred to as the Board, has probable cause to believe that I have committed violations of KRS Chapter 314, including KRS 314.091(1)(b,d,f,h,i,j,l) and KRS 314.021(2). I acknowledge that I voluntarily surrendered my Montana nursing license due to alcohol abuse, convictions that I failed to report to the Kentucky Board of Nursing, and am now living in Texas and do not plan to practice in Kentucky. I understand that I have the right of hearing and appeal as authorized by statute. This right includes the right to be present with counsel, the right to subpoena and confront witnesses, and the right to appeal the decision as entered by the Board. I knowingly waive these rights by entering into this Agreed Order with the Board.

By signing this Agreed Order, I voluntarily surrender my nursing license/privilege to practice nursing for a period of at least two (2) years and I relinquish all right, title and privilege of practicing as a nurse in the Commonwealth of Kentucky until my license is reinstated.

I understand I must make a written request for a hearing if I wish the Board to consider reinstatement of my nursing license/privilege to practice nursing after the period of voluntary surrender and that the terms for reinstatement will be based on the established Board Guidelines for Reinstatement of a Voluntarily Surrendered License. I also understand that I will be required to pay a civil penalty of twelve hundred dollars (\$1200), in addition to any other monies due the Board, prior to application for reinstatement of the nursing license/privilege to practice nursing.

This Agreed Order shall be effective and binding on me and the Kentucky Board of Nursing immediately when signed by both parties, and shall be considered public information that can be disseminated according to the regulations of the Board, the Kentucky Open Records Act, and any other state or federal law as required.

I hereby release the Kentucky Board of Nursing, its members, employees, agents, and officers, jointly and severally, from any and all liability arising from the within matter.

All provisions and conditions of this Order shall carry over to any license or privilege to practice nursing in Kentucky that I receive, including pursuant to any multi-state nursing licensure compact with the Board.

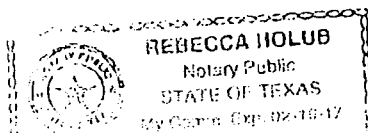
Kristine Ellen Bonnie Palmer
Kristine Ellen Bonnie Palmer

Subscribed and Sworn to before me this 14th day of June, 2014 by
Kristine Ellen Bonnie Palmer.

Notary Public [Signature]

S. E. A. L. State of Kentucky

My Commission expires 2-19-17



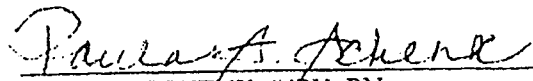
REC'D

JUL 11 2014

KBN

Kristine Ellen Bonnie Palmer
Agreed Order
Page 2 of 2

(BOARD SEAL)



PAULA S. SCHENK, MPH, RN
EXECUTIVE DIRECTOR
KENTUCKY BOARD OF NURSING

Agreed to and entered by the Board on July 15, 2014.