



Texas Board of Nursing

1801 Congress Avenue, Ste. 10-200, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401
www.bon.texas.gov

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



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

August 7, 2023

Certified Mail No. 9214 8901 9403 8300 0025 0806 35
Return Receipt Requested, Copy Via USPS First Class Mail

Bridget Norris Kirk
27 Mockingbird Xing
Durant, OK 74701

Dear Ms. Kirk:

Your Petition for Licensure Reinstatement and the supporting information related to your potential ineligibility for relicensure was considered by the Executive Director on May 15, 2023.

Pursuant to the Occupations Code §§301.257, 301.452, and 301.453, you have been found to be ineligible for reinstatement of licensure as a nurse in the State of Texas based upon the grounds discussed below. **This is a final determination of licensure reinstatement denial.**

Our records indicate the following:

On or about March 21, 2017, your license to practice nursing was Revoked through a Default Order by the Board.

- On or about October 1, 2015, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, you withdrew Dilaudid from the medication dispensing system for Patient FIN22807879 without a valid physician's order.
- On or about October 1, 2015, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, you engaged in the intemperate use of opiates in that you produced a specimen for a for cause drug screen that resulted positive for opiates. In addition, you admitted to taking Hydrocodone from a friend for your migraine.
- On or about January 3, 2016, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, you misappropriated Dilaudid belonging to the facility and patients thereof, in that you took the medication, which had been placed on top of a medication cart, from another nurse without her knowledge. Subsequently, you admitted to taking the narcotics in an attempt to prove a point that narcotics should not be left lying around; however, you later admitted to taking Dilaudid for the purpose of using but returned them after a moment of clarity.
- On or about April 4, 2016, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), and employed with Texoma Medical Center, Denison, Texas, you withdrew Xanax from the medication dispensing system for Patient 23470693 but failed to document and/or

Kathy Shipp, MSN, APRN, FNP
Lubbock, President

Allison Porter-Edwards, DrPH, MS, RN, CNE
Bellaire, Vice-President

accurately and completely document the administration of the medication in the patient's Medication Administration Record (MAR) and/or Nurses' Notes.

- On or about April 4, 2016, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), and employed with Texoma Medical Center, Denison, Texas, you withdrew Xanax from the medication dispensing system for Patient 23470693 but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications.
- On or about April 4, 2016, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), and employed with Texoma Medical Center, Denison, Texas, you misappropriated Xanax from Patient 23470693, belonging to the facility of patients thereof, or failed to take precautions to prevent such misappropriation.
- On or about April 4, 2016, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), and employed with Texoma Medical Center, Denison, Texas, you failed to comply with all the requirements of the TPAPN participation agreement during its term. Specifically, noncompliance is the result of your failure to adhere to the narcotic/controlled substance restriction during the first six months of work in nursing, in that you pulled a controlled substance from the medication dispensing system. Consequently, on April 15, 2016, due to your noncompliance, TPAPN closed your case and referred you to the Texas Board of Nursing.

On or about December 4, 2017, your license to practice professional nursing in the State of Oklahoma was issued a Voluntary Surrender by the Oklahoma State Board of Nursing, Oklahoma City, Oklahoma.

- On or about October 2-3, 2016, while working as a RN in the ICU at Mercy Hospital in Ardmore, Oklahoma, you consented to a for-cause drug screen at the request of Hospital Administration after a review of your Controlled Dangerous Substance (CDS) medication administration practices identified a pattern of you administering higher doses of Hydromorphone, a Schedule II CDS medication to patients as compared to other nurses caring for the same patients. You tested positive for Morphine and Hydromorphone as confirmed by GC/MS and reported by a Medical Review Officer. You were subsequently terminated from the Hospital. You admitted to the Board Staff that you had diverted Dilaudid and Morphine from the Hospital for your personal use.
- On December 2, 2016, you voluntarily entered in the Oklahoma Board's Peer Assistance Program (PAP).
- On May 2, 2017, you defaulted from the PAP program for failure to comply with the terms and conditions of your contract.

On or about April 27, 2023, you completed a forensic psychological evaluation, performed by Frank A. Pugliese, Ph.D. According to Dr. Pugliese, the assessment reflected an individual who tends to be impulsive and reactive and has difficulty accepting rules, regulations, and authority. Based on these observations and the results of the polygraph examination, which reflected deception was indicated, it is Dr. Pugliese's opinion there is a strong probability you would not be able to consistently behave in accordance with the requirements of Board rules, as well as the minimum nursing standards. In addition, there is a strong probability you would not be able to consistently avoid behavior identified by the Board as constituting unprofessional conduct. Dr. Pugliese recommends you obtain counseling to develop a greater degree of insight into your behavior, so you are less likely to behave in a self-defeating manner in the future.

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

- §301.452(b)(12): "lack of fitness to practice because of a mental or physical health condition that could result in injury to a patient or the public;"

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.

The Board has also adopted a rule, located at 22 Tex. Admin. Code §213.29(d)(1), regarding "Substance Use Disorders and Abuse/Misuse of Alcohol or Drugs" related to fitness to practice, which states: "Individuals who have been diagnosed, treated, or hospitalized for a substance use disorder that may impair their ability to practice nursing safely, will, at a minimum, be required to demonstrate sobriety and abstinence from drugs and alcohol for a minimum of twelve consecutive months, through verifiable and reliable evidence, in order to obtain or retain licensure. Verifiable and reliable evidence of sobriety and abstinence from drugs and alcohol may include evidence of the completion of inpatient, outpatient, or aftercare treatment, random drug screens, individual or group therapy, and/or support group attendance." You have failed to provide proof of sobriety in accordance with the requirements of 22 Tex. Admin. Code §213.29(d)(1).

Texas Occupations Code Chapter 301, as well as the Board's rules, 22 Tex. Admin. Code §213.27; §213.29-§213.33, and the Board's Disciplinary Sanction Policies are hereby incorporated by reference herein and may be located on the Board's website at www.bon.texas.gov.

You will not be allowed to petition for reinstatement until at least one (1) year from the date of this denial and until you have satisfied any conditions outlined in your order and any requirements required by law at the time of your application.

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 Office of General Counsel, 1801 Congress Avenue, Suite 10-200, 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.

Further, should the decision to deny your licensure be upheld by the State Office of Administrative Hearings, you will be entitled to judicial review by filing an action in the district court of Travis County, Texas. A petition for such an action must be filed not later than the 30th day after the date the licensing authority's decision is final and appealable.

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If you have any questions, please contact Enforcement at (512) 305-6838.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine A. Thomas". The signature is written in a cursive style with a large, stylized initial 'K'.

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

KAT/143

J5(2023.07.26)