



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.
Kristin K. Benton, DNP, RN
Kristin K. Benton, DNP, RN
Executive Director
Texas Board of Nursing

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Registered Nurse License Number 719307
issued to LASHYRA CARMESE BRADLEY

§
§
§
§

REINSTATEMENT AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement, hereinafter referred to as the Petition, of Registered Nurse License Number 719307, held by LASHYRA CARMESE BRADLEY, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Reinstatement Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on July 21, 2023.

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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Reinstatement Agreed Order.
3. Petitioner received a Baccalaureate Degree in Nursing from Grambling State University, Grambling, Louisiana, on May 11, 2005. Petitioner was licensed to practice professional nursing in the State of Texas on July 26, 2005.
4. Petitioner's nursing employment history includes:

6/2005

Staff Nurse

Charleston Methodist
Dallas, Texas

Petitioner's nursing employment history continued:

10/2005 – 0/2012	Staff Nurse	Renaissance@Kelller Dallas, Texas
11/2012	ADON	Manor Care Dallas, Texas
11/2014	Agency Nurse	Annex Care Solutions Dallas, Texas
11/2014	DON	Blessed Care Lake Charles, LA
2/2016 – Present	Not working in Nursing	

5. On or about September 9, 2014, Petitioner's license to practice nursing in the State of Texas was Revoked through an Order of the Board. A copy of the September 9, 2014, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
6. On or about April 1, 2023, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. Petitioner presented the following in support of said petition:
 - A. Letter of support dated July 15, 2022, from Amber Williams, HR Director, Pecan Grove Training Center.
 - B. Letter of support dated August 19, 2022, from Linda Morace RN, DON, Pecan Grove Training Center.
 - C. Letter of support dated September 19, 2022, from Patrick LaCour, Administrator.
Letter of support from Gregory S. Bevels, MD, Family Medicine Christus Trinity Clinic, Alexandria LA. Petitioner has been under Dr. Bevels' care for the treatment
 - D. of alcohol abuse and its related comorbid conditions. Dr. Bevels states that Petitioner has been sober for greater than a year and is able to safely return to practice of nursing.
 - E. Documentation of the required continuing education contact hours.
8. On or about June 26, 2023, Petitioner completed a forensic psychological evaluation with polygraph performed by Dr. Paul Andrews Ph.D. According to Dr. Andrews, Petitioner said she had gotten into trouble for taking a non-prescribed narcotic medication when working under a temporary practice permit in Louisiana during a difficult time in her life but has since put her life back together and has worked successfully as a case manager for the past four years. As such, he does not think Petitioner is a danger to patients or to the

community. He does not think Petitioner is likely to have alcohol or drug use problems in the present or future. It is his opinion that Petitioner is capable of performing responsibly and without impairment as a licensee.

9. 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 relicensure.
10. 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.
11. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
12. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. This reinstatement is made pursuant to Sections 301.453(c) and 301.467, Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26.
3. The Board may relicense 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.
4. 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.
5. 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).
6. 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. REINSTATEMENT OF LICENSURE AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of LASHYRA CARMESE BRADLEY for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and Registered Nurse License Number 719307 is/are hereby **REINSTATED** in accordance with the terms of this Order.

- A. Until successfully completed, this Order SHALL apply to any and all future licenses issued to PETITIONER to practice nursing in the State of Texas.
- B. Until successfully completed, this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Until successfully completed, PETITIONER may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- D. As a result of this Order, PETITIONER'S license(s) will be designated "single state" as applicable and PETITIONER 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, 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 Reinstatement Agreed Order.

III. REQUIREMENTS FOR REFRESHER COURSE, EXTENSIVE ORIENTATION, OR NURSING PROGRAM OF STUDY IN PROFESSIONAL REGISTERED NURSING

Prior to practicing as a registered nurse in the State of Texas, PETITIONER SHALL:

- A. **Apply for a Six Month Temporary Permit to Complete Refresher Course, Extensive Orientation, or Nursing Program of Study in Professional Registered Nursing** for the limited purpose of completing a refresher course, extensive orientation, or nursing program of study in professional registered nursing. The application for the Six Month Temporary Permit is available via the Nurse Portal on the Board's website (www.bon.texas.gov). PETITIONER SHALL NOT, in any way, attempt to use the temporary permit for any purpose other than completing the refresher course, extensive orientation, or nursing program of study in professional registered nursing.
- B. **Successfully complete a Board approved refresher course, extensive orientation, or nursing program of study for professional registered nursing. Petitioner MUST obtain Board approval of the nursing refresher course, extensive orientation, or nursing program, as applicable, prior to enrollment.** In order for the course to be approved, the target audience shall include registered nurses and the course's content shall, at a minimum, include: 1) Review of NPA, Rules, Position Statements; 2) Determination of Individual Scope of Practice and role in patient safety; 3) Review of the nursing process to include assessment, planning, implementation, and evaluation; 4) Pharmacology review; 5) Medication administration; 6) Documentation, quality assurance, and legal implication for nursing practice; and, 7) Documentation of current CPR certification prior to beginning precepted clinical learning experience. The course must contain no less than a total of 80 hours of clinical practice providing direct patient care supervised by a qualified registered nurse instructor who meets or exceeds the Board's minimum criteria for eligibility as an instructor. Home study courses and video programs will not be approved.
- C. **Upon completion of the refresher course, extensive orientation, or nursing program of study for professional registered nursing,** PETITIONER SHALL return the temporary permit to the Board's office and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required 80 hours of supervised practice.
- D. **Upon verification of successful completion of the conditions** as set out in Paragraphs A through C of this Section, PETITIONER SHALL submit a completed License Reactivation Form for Registered Nurses, which is available via the Nurse Portal on the Board's website (www.bon.texas.gov). PETITIONER shall pay all re-registration fees and, subject to meeting all other requirements for licensure in Texas, shall be issued the applicable license to practice registered nursing in the State of Texas, which shall be subject to the terms of this Order.

IV. 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 relicensure, 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 "Righting a Wrong,"** a 3.0 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) International Center for Regulatory Scholarship (ICRS).

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.*

V. 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 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:** 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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, PETITIONER 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 PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on 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. **Indirect Supervision:** For the remainder of the stipulation/probation period, 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.

- E. **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 eight (8) quarters [two (2) years] of employment as a nurse.

VI. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, 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 initially conducted through urinalysis, and subsequent testing or required re-tests, when applicable, may be obtained through blood, hair/nail, and/or breathalyzer, as directed by the Board's drug and alcohol

testing program. 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.

VII. RESTORATION OF UNENCUMBERED LICENSE(S)

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

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

PETITIONER'S CERTIFICATION

I understand this Order is conditioned upon the accuracy and completeness of my petition and disclosures. I further understand that subsequently discovered discrepancies in my petition and/or disclosures will result in investigation and possible disciplinary action, up to revocation of my license(s).

I have reviewed this Order. I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. 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 TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, and/or 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.

Signed this 11th day of September, 2023.

L Bradley
LASHYRA CARMESE BRADLEY, PETITIONER

Sworn to and subscribed before me this 11th day of September, 2023.

SEAL

Holly J. Deville
Holly J. Deville #66377
Notary Public in and for the State of La

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 16th day of September, 2023, by LASHYRA CARMESE BRADLEY, Registered Nurse License Number 719307, and said Reinstatement Agreed Order is final.

Effective this 14th day of November, 2023.

Kristin K. Benton, DNP, RN

Kristin K. Benton, DNP, RN
Executive Director on behalf
of said Board

IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 719307
ISSUED TO
LASHYRA CARMESE BRADLEY

§
§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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.
Patricia Williams
Executive Director of the Board

ORDER OF THE BOARD

TO: LASHYRA CARMESE BRADLEY
621 PICKARD ST
CEDAR HILL, TX 75104

During open meeting held in Austin, Texas, on **September 9, 2014**, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

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

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

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

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

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

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

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

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 719307, previously issued to LASHYRA CARMESE BRADLEY, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 9th day of September, 2014.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed July 28, 2014.

Re: Permanent Registered Nurse License Number 719307
Issued to LASHYRA CARMESE BRADLEY
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2014, a true and correct
copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as

follows:

Via USPS Certified Mail, Return Receipt Requested

LASHYRA CARMESE BRADLEY
621 PICKARD ST
CEDAR HILL, TX 75104

Via USPS First Class Mail

LASHYRA CARMESE BRADLEY
712 LEWIS ST
OAKDALE, LA 71463

BY:



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

In the Matter of	§	BEFORE THE TEXAS
Permanent Registered Nurse	§	
License Number 719307	§	
Issued to LASHYRA CARMESE BRADLEY,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LASHYRA CARMESE BRADLEY, is a Registered Nurse holding License Number 719307, which is in current status at the time of this pleading.

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

CHARGE I.

On or about March 20, 2014, Respondent's temporary permit to practice as a Registered Nurse was Recalled by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. A copy of the Louisiana State Board of Nursing letter dated March 20, 2014, ordering Respondent to Cease and Desist the practice of nursing in Louisiana, is attached and incorporated, by reference, as part of this pleading. On or about July 8, 2014, Respondent's Application for Licensure as Registered Nurse by Endorsement was Denied by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. A copy of the Louisiana State Board of Nursing Final Order dated July 8, 2014, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

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

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Louisiana State Board of Nursing letter dated March 20, 2140, and Louisiana State Board of Nursing Final Order dated July 8, 2014.

Filed this 28 day of July, 2014.

TEXAS BOARD OF NURSING



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

Jena Abel, Assistant General Counsel
State Bar No. 24036103

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

John F. Legris, Assistant General Counsel
State Bar No. 00785533

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Louisiana State Board of Nursing letter dated March 20, 2140, and Louisiana State Board of Nursing Final Order dated July 8, 2014.

Louisiana State Board of Nursing

17373 Perkins Road
Baton Rouge, LA 70810
Telephone: (225) 755-7500 Fax: (225) 755-7582
www.lsbnp.state.la.us

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

March 20, 2014

MS. LASHYRA CARMESE BRADLEY
712 LEWIS ST
OAKDALE, LA 71463

Dear Ms. Bradley:

On February 14, 2014, you were issued a temporary permit to practice as a Registered Nurse in Louisiana relative to your application for licensure by endorsement. Information has been received in this office, which alleges that you may have acted in violation of the Nurse Practice Act. This information alleges that:

ALLEGATION #1 – On or about February 25, 2014, while employed by Nightingale Nurses and working as a contract Registered Nurse at Our Lady of the Lake Hospital, you tested positive on a for-cause drug test.

Please be advised that, under LA R.S. 37:920, LA R.S. 37:921 and LAC 46:XLVII.3331, the Board may delay or deny licensure of a person who, among other reasons...

- Is not of good moral character (LA R.S. 920.1.a.);
- Is unfit or incompetent by reason of negligence, habit or other cause (LA R.S. 921.3); and
- Has had a license to practice nursing or to practice as another health care provider denied, revoked, suspended or otherwise restricted (LA R.S. 921.7).

Louisiana Administrative Code (LAC) 46: XLVII, 3329B.4. states in part that a 90-day permit to practice as a Registered Nurse may be issued to any nurse currently registered in another state, territory, or country, pending receipt of endorsement credentials, providing that said nurse has filed a complete application for licensure by endorsement and provided that there is no evidence of violations of this Part or of LAC 46:XLVII.3331. If information relative to violations of R.S.37:911, LAC 46:XLVII.3331, or other administrative rules, or an investigation of same, is received during the 90-day permit interval, the permit shall be recalled and licensure denied until such time as the person completes the disciplinary process.

The Louisiana Nurse Practice Act and the Louisiana Administrative Code state in part that Applicants to practice nursing will be delayed if applicant has had a license to practice nursing ...denied, revoked, suspended or otherwise restricted (Board Rule 3331.B.a).

LOUISIANA STATE BOARD OF NURSING

Notice of Recall of Temporary Permit

Page 2

March 20, 2014

In addition, the Louisiana Administrative Code 46:XLVII.3331 states, in part, that applicants for licensure in Louisiana will be delayed if the applicant has any pending disciplinary action or any restrictions of any form by any licensing board in any state, or if applicant has any pending criminal charges or criminal probation which could affect patient safety.

Accordingly, your temporary permit is recalled. **YOU ARE TO CEASE AND DESIST IMMEDIATELY THE PRACTICE OF NURSING IN LOUISIANA.** The Nurse Practice Act L.R.S. 37:925, states, in part, that practicing nursing without a license is a violation which could result in imposition of a fine, revocation of license, and/or criminal imprisonment.

The matter of ratification of the permit recall will be considered by the Board of Nursing on April 29, 2014 starting at 9:00 AM, at the board office at 17373 Perkins Road, Baton Rouge, Louisiana 70810.

This will be reported to the Healthcare Integrity and Protection Data Bank (HIPDB) as

HIPDB Narrative:

F1: Immediate Threat to Health or Safety and,

F2: Unable to Practice Safely by Reason of Alcohol or Other Substance Abuse

If you are able to show error in the staff's action or if you have other evidence that you wish the Board to consider, you must so notify the Board in writing within 10 days of the date of this letter. Please direct this correspondence to Cynthia York, Director, Practice/Credentialing Department at the board office.

Sincerely,



Karen C. Lyon, PhD, APRN, ACNS, NEA
Louisiana State Board of Nursing
Executive Director

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
LASHYRA CARMESE BRADLEY
712 LEWIS ST
OAKDALE, LA 71463
APPLICANT

FINAL ORDER

The Louisiana State Board of Nursing, having set a hearing to determine whether cause exists under L.A.R.S. 37:911, et seq. to deny LASHYRA CARMESE BRADLEY ["Applicant"] from practicing as a Registered Nurse in Louisiana, held said hearing on July 8, 2014, pursuant to applicable Louisiana laws and regulations.

The hearing panel appointed by the Executive Director pursuant to L.A.R.S. 37:922(A) was present. Madeline Carbonetto, attorney, represented the Board and served as counsel to the Panel Chair. B. Wade Shows, attorney, served as prosecuting attorney for the Board. Applicant was not present and was not represented by counsel at this hearing.

Testimony and other evidence were received by the Board, and as a result thereof, the Board makes the following findings of fact and conclusion of law.

FINDINGS OF FACT

JURISDICTION

1. On February 14, 2014, Applicant submitted an Application for Licensure as Registered Nurse (RN) by Endorsement and was issued a temporary permit.

PRIOR BOARD ACTION

2. On March 20, 2014, Board's staff recalled Applicant's temporary permit. The recall of Applicant's temporary permit was ratified by the Board on April 29, 2014.

LEGAL NOTICES

3. On March 21, 2014, demand letter was mailed to Applicant's address of record by certified mail, return receipt requested; return receipt was signed and dated March 24, 2014.
4. On April 9, 2014, demand letter was mailed to Applicant's address of record by certified mail, return receipt requested; return receipt was signed and dated April 11, 2014.
5. On May 1, 2014, Show Cause Order was filed; Show Cause Order and notice of administrative hearing were mailed to Applicant's address of record by certified mail, return receipt requested; return receipt was signed and dated May 3, 2014.
6. On June 19, 2014, Board's List of Exhibits and Witnesses was mailed to Applicant's address of record by certified mail, return receipt requested; return receipt was signed and dated June 21, 2014.
7. On June 26, 2014, Board staff received Applicant's signed Response Form.

CURRENT CHARGES

8. On or about February 25, 2014, while working as a Registered Nurse, with a Temporary Permit, at Our Lady of the Lake Hospital in Baton Rouge, Louisiana, Applicant exhibited behaviors of impairment when Applicant:

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
LASHYRA CARMESSE BRADLEY
712 LEWIS ST.
OAKDALE, LA 71463
APPLICANT

FINAL ORDER

- Was observed sleeping while on duty; and
- Exhibited slurred speech, glossy eyes and a stumbling gait.

Subsequently, on February 25, 2014, Applicant submitted to a for-cause drug screen. The drug screen report was issued on March 2, 2014 and showed a positive result for Extended Opiates. On March 13, 2014, the Medical Review Officer finding was reported as Non-Contact Positive for Opiates, specifically Hydromorphone.

9. Applicant failed to cooperate with Board's investigation when she failed to provide information requested by demand letter dated March 21, 2014. Applicant was informed of the above mentioned allegations and notified that she must submit specific information to the Louisiana State Board of Nursing within 14 days of the date of the demand letter. Demand letter was mailed to Applicant's address of record by certified mail, return receipt requested; return receipt was signed and dated March 24, 2014.

8. On July 8, 2014, an administrative hearing was held. The Board reviewed documents, evidence and heard testimony. Board witness(es) appeared credible and truthful.

CONCLUSIONS OF LAW

1. That pursuant to LA R.S. 37:911 et seq., the Louisiana State Board of Nursing has jurisdiction over this matter;
2. That Applicant was properly notified of the charges and date of hearing;
3. That based on the foregoing Findings of Fact, Applicant did violate LA R.S. 37:921 as follows:
 - Applicant has demonstrated actual or potential inability to practice nursing with reasonable skill and safety to individuals because of use of alcohol or drugs; or has demonstrated inability to practice nursing with reasonable skill and safety to individuals because of illness or as a result of any mental or physical condition. La. R.S. 37:921 (4);
 - Applicant failed to practice nursing in accordance with the legal standards of nursing practice; L.A.C. 46:XLVII.3405 (a);
 - Applicant failed to utilize appropriate judgment; L.A.C. 46:XLVII.3405 (c);
 - Applicant demonstrated use of or being under the influence of alcoholic beverages, illegal drugs or drugs which impair judgment while on duty, to include making application for employment; L.A.C. 46:XLVII.3405 (r); and
 - Applicant failed to cooperate with the board by:
 - o not furnishing in writing a full and complete explanation covering a matter requested by the board;

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
LASHYRA CARMESE BRADLEY
712 LEWIS ST
OAKDALE, LA 71463
APPLICANT

FINAL ORDER

- o not providing information, documents/records reports, evidence or any other requested items within the designated time period to the board office as requested by the board/board staff;
L.A.C. 46:XL.VII.3405 (s).

4. That the evidence presented constitutes sufficient cause pursuant to LA R.S. 37:921 to deny Applicant's application to practice as a Registered Nurse in Louisiana.

ORDER

In an open meeting of the Louisiana State Board of Nursing, on July 8, 2014, the following Order was rendered:

It is **ORDERED, ADJUDGED, AND DECREED** that Applicant's Application for Licensure as Registered Nurse (RN) by Endorsement is denied and Applicant shall not be eligible for licensure in Louisiana.

FURTHER:

1. Within 60 days, submit payment of \$150.00 to the Board of Nursing as cost of hearing.
2. Within 60 days, submit payment of \$187.50 to the Board as cost of legal fees.

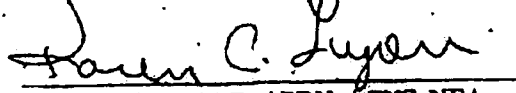
Reporting: This will be reported to the National Practitioner Data Bank as 99, Tested positive for Hydromorphone on a for cause drug screen.

NPDB Narrative: By Final Order, Applicant's Application for Licensure as Registered Nurse (RN) by Endorsement was denied after Applicant tested positive for Hydromorphone on a for cause drug screen.

A copy of this Final Order shall be served upon the Applicant by certified mail, return receipt requested.

Entered this 8th day of July, 2014

LOUISIANA STATE BOARD OF NURSING


Karen C. Lyon, PhD, APRN, ACNS, NEA
Executive Director