BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

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.
Executive Director of the Board

In the Matter Registered Nurse	§	
License Number 587650	§	AGREED
issued to KAREN ELIZABETH SWEATT	§	ORDER

An Eligibility and Disciplinary Committee meeting was held on February 8, 201 at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Tex Occupations Code.

Petitioner appeared in person. In attendance were Deborah Hughes Bell, CLU, ChFC, Tamara Cowen, MSN, RN, and Kathy Leader-Horn, LVN. Staff present were James Johnston, General Counsel; Anthony L. Diggs, Director, Enforcement Department; Nikki Hopkins, Assistant General Counsel; Allison Hassinger, Legal Assistant; Earl E. Stearns, Supervising Investigator; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Petitioner waived notice and hearing, and consented to the entry of this Order.

2. Petitioner currently holds a license to practice professional nursing in the State of Texas.

3. Petitioner received an Associate Degree in Nursing from WestArk Community College, Fort Smith, Arkansas, on December 1, 1986. Petitioner was licensed to practice professional nursing in the State of Texas on January 25, 1993.

4. Petitioner's professional nursing employment history includes:

1/87 - 12/90	Telemetry Nurse	Sparks Regional Medical Center Fort Smith, Arkansas
1/90 - 2/93	ICU Nurse	St. Edwards Mercy Medical Hospital Fort Smith, Arkansas

Petitioner's professional employment history continued:

2/93 - 8/95	ICU Nurse	Irving Health Care Systems Irving, Texas
8/95 - 10/98	Director of Nursing	United In-Home Nursing Arlington, Texas
10/98-9/03	Director of Nursing T.I.L.E. Nurse MDS Coordinator	Woodland Springs Nursing Center Waco, Texas
10/03 - 12/03	Med-Surg Nurse	Arlington Memorial Hospital Arlington, Texas
12/03 - 1/04	Med-Surg Nurse	Plaza Medical Center Fort Worth, Texas
1/04 - 4/04	MDS Coordinator	Garden Ridge Alzheimer's Care Fort Worth, Texas
4/04 - 6/04	Charge Nurse	Wedgewood Nursing Home Fort Worth, Texas
6/04 - 11/04	Weekend Supervisor	Arlington Villa Retirement and Nursing Center Arlington, Texas
12/04-2/05	Unknown	
3/05-7/05	Charge Nurse Interim Director of Nursing	Forum at Park Lane Dallas, Texas
7/05-2/06	Charge Nurse	Ashley Court at Turtle Creek Dallas, Texas
2/06 - 5/06	Director of Nursing	Bell County Nursing and Rehabilitation Temple, Texas
5/06 - 4/07	Charge Nurse	Woodland Springs Nursing Center Waco, Texas

Petitioner's professional employment history continued:

5/07 - present Not employed in nursing

4. On July 23, 2007, the Texas Board of Nursing accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the July 23, 2007, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

5. On September 14, 2010, Respondent's license to practice professional nursing was Reinstated with Stipulations by the Texas Board of Nursing. A copy of the September 14, 2010, Reinstatement Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, the Board has jurisdiction over this matter.

2. Notice was served in accordance with law.

3. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by Katherine Thomas, MN, RN, Executive Director, that PETITIONER SHALL receive the sanction of a LIMITED LICENSE, and PETITIONER SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a

multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

IT IS FURTHER AGREED that:

(1) The stipulations outlined and required herein SHALL supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.

(2) While under the terms of this Order, PETITIONER SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching; counseling; assessing the client's needs and strengths; and providing skilled nursing care.

(3) SHOULD PETITIONER desire to return to a clinical practice setting, which would require her to provide direct patient care, PETITIONER SHALL petition the Board for such approval.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, PETITIONER SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed 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, 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 Board. When this Order is ratified, the terms of this Order become effective, 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 7th day of April, 2011.

Karen Elizabeth Sweatt

KAREN ELIZABETH SWEATT, Petitioner

Sworn to and subscribed before me this 07 day of April, 2011.

SEAL

Notary Public
TERESA FITZ-ENZ
State of Alaska
My Commission Expires Apr 18, 2014

Teresa Fitz-Enz

Notary Public in and for the State of 4-18-14

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 7th day of April, 2011, by KAREN ELIZABETH SWEATT, Registered Nurse License Number 587650, and said Order is final.

Effective this 18th day of April, 2011.

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

BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Registered Nurse	§	
License Number 587650	§	REINSTATEMENT
issued to KAREN ELIZABETH SWEATT	§	AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 587650, held by KAREN ELIZABETH SWEATT, hereinafter referred to as Petitioner.

An informal conference was held on July 6, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Mary Beth Thomas, PhD, RN, Director of Nursing, Executive Director's Designee; Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Dominique Mackay, Investigator; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to 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.

2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.

3. Petitioner received an Associate Degree in Nursing from WestArk Community College, Fort Smith, Arkansas, on December 1, 1986. Petitioner was originally licensed to practice professional nursing in the State of Texas on January 25, 1993.

4. Petitioner's professional nursing employment history includes:

1/87 - 12/90	Telemetry Nurse	Sparks Regional Medical Center Fort Smith, Arkansas
1/90 - 2/93	ICU Nurse	St. Edwards Mercy Medical Hospital Fort Smith, Arkansas
2/93 - 8/95	ICU Nurse	Irving Health Care Systems Irving, Texas
8/95 - 10/98	Director of Nursing	United In-Home Nursing Arlington, Texas
10/98-9/03	Director of Nursing T.I.L.E. Nurse MDS Coordinator	Woodland Springs Nursing Center Waco, Texas
10/03 - 12/03	Med-Surg Nurse	Arlington Memorial Hospital Arlington, Texas
12/03 - 1/04	Med-Surg Nurse	Plaza Medical Center Fort Worth, Texas
1/04 - 4/04	MDS Coordinator	Garden Ridge Alzheimer's Care Fort Worth, Texas
4/04 - 6/04	Charge Nurse	Wedgewood Nursing Home Fort Worth, Texas
6/04 - 11/04	Weekend Supervisor	Arlington Villa Retirement and Nursing Center Arlington, Texas
12/04-2/05	Unknown	
3/05-7/05	Charge Nurse Interim Director of Nursing	Forum at Park Lane Dallas, Texas
7/05-2/06	Charge Nurse	Ashley Court at Turtle Creek Dallas, Texas

Petitioner's professional employment history continued:

2/06 - 5/06	Director of Nursing	Bell County Nursing and Rehabilitation Temple, Texas
5/06 - 4/07	Charge Nurse	Woodland Springs Nursing Center Waco, Texas
5/07 - present	Not employed in nursing	

5. On July 23, 2007, the Texas Board of Nursing accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the July 23, 2007, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

6. On or about April 29, 2010, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.

7. Petitioner presented the following in support of her petition:

   7.1. Early Order, dated March 9, 2010, dismissing proceedings and granting discharge from Community Supervision following Deferred Adjudication for the offense of Obtaining Controlled Substance/Fraud in the Criminal District Court No. 6, Dallas County, Texas.

   7.2. Early Order, dated March 9, 2010, dismissing proceedings and granting discharge from Community Supervision following Deferred Adjudication for the offense of Tampering Government Record in the Criminal District Court No. 6, Dallas County, Texas.

   7.3. Certificate of completion, dated February 28, 2008, from First Step Counseling Center.

   7.4. Letter of support, dated March 22, 2010, from Beverly Blalock, RN, Waco, Texas, states she has fifteen (15) years of working with Petitioner in her capacity as a nurse. She was always been the "go to" person whenever challenging clinical situations arose. Petitioner's assessments skills are among the best Ms. Blalock has ever seen. She is profoundly intelligent and insightful. She possesses a natural gift of being able to instill a sense of ease and comfort to those under her care. Patients, physicians, as well as her peers, respected and trusted her clinical judgment. She consistently proved herself to be a valued leader, mentor, and nursing clinician. Ms. Blalock also has the privilege of being Petitioner's AA sponsor for over three (3) years. Ms. Blalock has personally observed Petitioner's efforts to maintain a life of sobriety. She routinely attends 12 step and Big Book meetings. Petitioner has completed the 12 steps and has a sincere desire to help others who are afflicted with the disease of alcoholism. As a practicing nurse, Ms. Blalock highly recommends that Petitioner be given the opportunity to begin the necessary steps of reinstatement.

7.5. Letter of support, dated March 27, 2001, from Dudley Bumpass, Fairfield, Texas, states as the former owner and administrator of Woodland Springs Nursing Center, it is his immense pleasure to write a letter of recommendation. Petitioner served, among many other duties, as Director of Nursing for many years. She was an exceptional Director. Mr. Bumpass has yet to come across someone with her insight and innate ability to grasp the machinations of Long Term Care and combine that knowledge with excellent nursing skills and judgement. Mr. Bumpass is no longer the owner/administrator of Woodland Springs but he continues to run a nursing consultation business and would be more than happy to offer Petitioner immediate employment should she regain her nursing license.

7.6. Letter of support, dated March 11, 2010, from Carla Johnson, AD, Woodland Springs Nursing Facility, Waco, Texas, states she has known Petitioner both personally and professionally for over ten (10) years. When they began working together, Ms. Johnson held the position of CNA and Petitioner was the Director of Nursing. Ms. Johnson now serves as the Activity Director and continues to implement the many valuable tools that she learned from Petitioner throughout the years. Petitioner is a true asset to the healthcare profession and Ms. Johnson would proudly work beside her should she be given the opportunity.

7.7. Letter of support, dated April 14, 2010, from Linda Edwards, LVN, China Springs, Texas, states she had the pleasure of working with Petitioner several years ago at Woodland Springs Nursing Center. At the time, Petitioner was the Director of Nursing. It was a great learning experience for Ms. Edwards. Petitioner was always willing to take the time to teach and instruct on new forms, changes in policy, etc. Ms. Edwards felt Petitioner was a great asset to the employees and facility. She was always willing to listen and make necessary changes to make the work flow smoothly. Petitioner was always open to suggestions for making the facility a better place to work. She was very knowledgeable and fair in her decisions. It was a real pleasure working for her.

7.8. Letter of support, dated March 23, 2010, from Derik Lattig, Fort Worth, Texas, states as a personal friend for over two (2) years, he has come to regard Petitioner with great esteem. Mr. Lattig found her to be a very intelligent, giving and caring person and hopes for the best in her endeavor for reinstatement. Mr. Lattig met Petitioner shortly after she completed her rehabilitation at First Step Counseling and has witnessed her amazing growth in recovery.

7.9. Documentation of support group attendance dating from October 2007 through March 2010.

7.10. Verification of successful completion of twenty (20) Continuing Education Contact Hours.

8. Petitioner gives April 2006, as her date of sobriety.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

3. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of KAREN ELIZABETH SWEATT, Registered Nurse License Number 587650, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies in all respects with the Nursing Practice Act, Texas Occupations Code, §301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 et. seq. and the stipulations contained in this Order:

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL pay all re-registration fees and be issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to KAREN ELIZABETH SWEATT, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL pay a monitoring fee in the amount of five hundred ($500.00) dollars. PETITIONER SHALL pay this fine within forty-five (45) days of relicensure. 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.

(3) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify PETITIONER's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.*

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATION PERIOD:

(4) PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER'S license. PETITIONER SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) For the first year of employment as a Nurse under this Order, PETITIONER SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse 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). The 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.

(7) For the remainder of the stipulation period, PETITIONER SHALL be supervised by a Registered 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 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.

(8) PETITIONER 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 PETITIONER is regularly assigned for one (1) year of employment as a nurse.

(9) PETITIONER SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. 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.

(10) PETITIONER SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a nurse.

(11) 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 Registered Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for three (3) years of employment as a nurse.

(12) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of 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 prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and PETITIONER SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(13) PETITIONER SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the PETITIONER'S place of employment at any time during the stipulation period and require PETITIONER to produce a specimen for screening.

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 period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY 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.

(14) PETITIONER 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. PETITIONER 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 PETITIONER. PETITIONER SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER's license to practice professional nursing in the State of Texas and PETITIONER shall be eligible for nurse licensure compact privileges, if any.

PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. 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 to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 2nd day of August, 2010.

Karen Elizabeth Sweatt

KAREN ELIZABETH SWEATT, Petitioner

Sworn to and subscribed before me this 2nd day of August, 2010.

SEAL

VIRGIL B. PIERCE
Notary Public, State of Texas
My Commission Expires
January 12, 2011

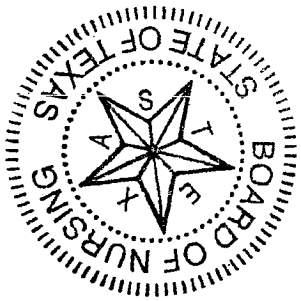
Virgil B. Pierce

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 2nd day of August, 2010, by KAREN ELIZABETH SWEATT, Registered Nurse License Number 587650, and said Order is final.

Effective this 14th day of September, 2010.

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



587650:007

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Registered Nurse	§	AGREED
License Number 587650	§	
issued to KAREN ELIZABETH SWEATT	§	ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 587650, issued to KAREN ELIZABETH SWEATT, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived informal conference and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.

2. Respondent waived notice and hearing, and agreed to the entry of this Order.

3. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent received an Associate Degree from WestArk Community College, Fort Smith, Arkansas, on December 1, 1986. Respondent was licensed to practice professional nursing in the State of Texas on January 25, 1993.

5. Respondent's professional nursing employment history includes:

01/93-09/98	Unknown	
10/98-01/03	Staff Nurse	Woodland Springs Nursing Center Waco, Texas

Respondent's professional nursing employment history continued:

02/03-05/04	Staff Nurse	People Nursing Center Dublin, Texas
06/04-12/04	Supervising Nurse	Arlington Villa- Retirement and Nursing Center Arlington, Texas
01/05-02/05	Unknown	
03/05-07/05	Charge Nurse	Forum at Park Lane Dallas, Texas
08/05-02/06	Charge Nurse	Ashley Court at Turtle Creek Dallas, Texas

6. At the time of the initial incident alleged in Finding of Fact Number Seven (7), Respondent was employed as a Charge Nurse with Ashley Court at Turtle Creek, Dallas, Texas, and had been in this position for three (3) months.

7. On or about February 20, 2007, the Board provided Respondent with notice of alleged violations of the Nursing Practice Act, as follows:

   On or about November 30, 2005, through February 23, 2006, while employed with Ashley Court at Turtle Creek, Dallas, Texas, Respondent:
   - Misappropriated narcotic medications in the form of Norco in various opiate containing strengths, and other controlled substance "Schedule IV medications" in the form of Ambien and Xanax;
   - Withdrew narcotics and controlled substances in excess of and/or without physician's orders;
   - Falsified physician orders for Norco and controlled substances, and submitted the fictitious prescriptions to the dispensing pharmacy; and
   - Failed to administer and/or document administration of narcotics and controlled substances in patients' medical records.

8. On or about March 9, 2007, the Board provided Respondent with notice of additional alleged violations of the Nurse Practice Act, as follows:

   On or about May 5, 2005, Respondent pled GUILTY to and was CONVICTED of DRIVING WHILE INTOXICATED-2nd (a Class-A Misdemeanor offense committed on January 26, 2005), in the Tarrant County Criminal Court at Law Number 10, Fort Worth, Texas, Cause Number 0964369001. As a result of the conviction, Respondent was sentenced to forty-five (45) days of jail confinement, and ordered to pay a fine of eight hundred dollars ($800.00); and

On or about April 1, 2006, Respondent submitted her RN License Renewal Form to the Board of Nurse Examiners for the State of Texas. On the Renewal, Respondent falsely answered "No" to the question: "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?".

9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice professional nursing in the State of Texas.

10. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

11. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 violations of Section 301.452(b)(2), (3),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11 (1)(B), (1)(C) & (1)(D) and 217.12 (1)(C), (4), (6)(A), (6)(G), (6)(H), (8), (10)(E), (11)(B) & (13).

4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against License Number 587650 heretofore issued to KAREN ELIZABETH SWEATT, including revocation of Respondent's professional license to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.

7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 587650, heretofore issued to KAREN ELIZABETH SWEATT, to practice nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to KAREN ELIZABETH SWEATT, to the office of the Board of Nurse Examiners.

2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.

4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 28 day of June, 2007.

KAREN ELIZABETH SWEATT, Respondent

Sworn to and subscribed before me this 14th day of July, 2007.

SEAL

ASHA T. MILES-HARRELL
My Commission Expires
March 09, 2011

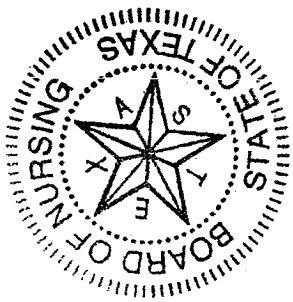
Notary Public in and for the State of Texas

Approved as to form and substance.

Katrina Anderson, Attorney for Respondent

Signed this 16 day of July, 2007.

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of Registered Nurse License Number 587650, previously issued to KAREN ELIZABETH SWEATT.

Effective this 23rd day of July, 2007.

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