

BEFORE THE TEXAS BOARD OF NURSING



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 P. Thomas
Executive Director of the Board

In the Matter of Registered Nurse §
License Number 527321 § REINSTATEMENT
issued to SYRETHA A. THOMAS § AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, herein referred to as the Board, the Petition for Reinstatement of Registered Nurse License Nun 527321, held by SYRETHA A. THOMAS, hereinafter referred to as Petitioner.

An informal conference was held on April 22, 2008, 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 Denise Benbow, MN, RN, Nurse Consultant, Executive Director's Designee; Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Veronica Franco, Investigator; Nancy Krause, RN, Investigator; John DeLaRosa, Investigator; Dennis Riggins, 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 a Diploma in Nursing from Methodist School of Nursing, Lubbock, Texas, in May 1985. Petitioner was originally licensed to practice professional nursing in the State of Texas on August 28, 1985.

4. Petitioner's professional nursing employment history includes:

1985 - 1998	ER/Flight Nurse	Methodist Hospital Lubbock, Texas Covenant Medical Center Levelland, Texas
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1999 - present	Not employed in nursing
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5. On July 19, 1999, Petitioner voluntarily surrendered her license to practice professional nursing in the State of Texas. A copy of the July 19, 1999, Order of the Board, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

6. On or about January 23, 2008, 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. Order for Deferred Adjudication for the offense of Obtaining a Controlled Substance by Forgery, a 3rd Degree Felony committed on October 4, 1999. Petitioner was placed on Community Supervision for two (2) years.

7.2. Motion to Discharge Offender from Community Supervision issued February 4, 2003.

7.3. Results of ten (10) negative random drug screens dating from January 27, 2004, through March 26, 2007.

7.4. Documentation of twenty (20) Type 1 contact hours.

8. Petitioner gives May 8, 2000, 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 SYRETHA A. THOMAS, Registered Nurse License Number 527321, to practice professional nursing in the state of Texas, be and the same is hereby DENIED, WITH THE DENIAL STAYED, AND SUBJECT TO THE FOLLOWING PROBATION CONDITIONS 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 §211.01 *et. seq.* and the stipulations contained in 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 Texas Board of Nursing and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a minimum 80-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, 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 clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to SYRETHA A. THOMAS, shall be subject to the following agreed post-licensure stipulations:

(6) PETITIONER SHALL, within forty-five (45) days following relicensure, apply to and be accepted into the Texas Peer Assistance Program for Nurses (TPAPN), which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

(7) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nursing.

(8) PETITIONER SHALL comply with all requirements of the TPAPN contract during its term.

(9) PETITIONER SHALL CAUSE the TPAPN to notify the Board of Nursing of any violation of the TPAPN contract.

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

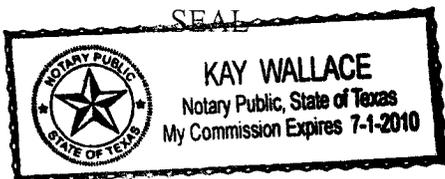
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. 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 6 day of June, 2008.

Syretha Ann Thomas
SYRETHA A. THOMAS, Petitioner

Sworn to and subscribed before me this 6th day of June, 2008.



Kay Wallace
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 6th day of June, 2008, by SYRETHA A. THOMAS, Registered Nurse License Number 527321, and said Order is final.



Effective this 17th day of July, 2008.


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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 527321 issued to §
SYRETHA A. YOUNG §

ORDER OF THE BOARD

To: Syretha A. Young
c/o Robert J. Provan
Provan and Associates, P.C.
401 W. 15th Street, Suite 875
Austin, Texas 78701

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of Permanent Certificate Number 527321, issued to SYRETHA A. YOUNG, hereinafter referred to as Respondent. This action was taken in accordance with Article 4525.1(c), Revised Civil Statutes of Texas, as amended.

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 a Diploma in Nursing from Methodist School of Nursing, Lubbock, Texas in May 1985.

5. Respondent's professional employment history includes:

July 1985 to January 1988
Emergency Room Nurse
Methodist Hospital
Lubbock, Texas

February 1988 to June 1990
Flight Nurse/Paramedic
AeroCare
Lubbock, Texas

July 1990 to May 1993
Emergency Room Nurse
Methodist Hospital
Lubbock, Texas

May 1993 to October 1995
Emergency Room Nurse
Methodist Hospital
Levelland, Texas

October 1995 to May 1998
Emergency Room Nurse
Methodist Hospital
Lubbock, Texas

6. At the time of the incidents listed in findings of fact number seven (7) Respondent was employed as a staff nurse in the emergency room with Methodist Hospital, Lubbock, Texas and had been in this position for approximately two (2) years.

7. Respondent, while employed with the Methodist Hospital, Lubbock, Texas, signed out medications for patients, on the Stock Narcotic Record, but either failed to document or failed to accurately document the administration of the medications in the patients' emergency room (ER) record; failed to make all entries required on the Stock Narcotic Record; failed to document the wastage as required by the policy and procedure in effect at the facility; or made false entries by documenting the names of physicians who were not working in the emergency room on the date of the sign out, as follows:

Date	Time	Patient	Physician's Order	Medication/Dosage	ER Record
9/2/97	1715	100170237	No Order for Nubain	Nubain 10 mg	Not documented
9/5/97	1545	100170472	No Order for Nubain	Nubain 10 mg	Not documented
9/6/97	none	100027407	No Order for Nubain	Nubain 10 mg	Not documented
9/7/97	2158	100170553	No Order for Darvocet N-100	Darvocet N-100 2 tablets	Not documented

Date	Time	Patient	Physician's Order	Medication/Dosage	ER Record
9/7/97	none	100170553	No Order for Vicodin	Vicodin 1 tablet	Not documented
9/7/97	1530	same	No Order for Nubain	Nubain 10 mg	Not documented
10/29/97	1630	089018154	Stadol 2 mg IM Q 4-6 hrs PRN Pain	Stadol 2 mg	Not documented
10/29/97	2015	same	No Order for Nubain	Nubain 10 mg	Not documented
11/1/97	1930	100174021	Demerol 50-75 mg IM Q 4 hrs. PRN	Demerol 75 mg	Not documented
11/2/97	1700	090016909	No Order for Nubain	Nubain 10 mg	Not documented
11/2/97	2255	No patient identified	unknown	Tylenol #3, 2 tabs	unknown
11/3/97	1800	100073656	No Order for Nubain	Nubain 10 mg	Not documented
11/3/97	2055	090816368	No Order for Nubain	Nubain 10 mg	Not documented
11/4/97	1700	090011225	No Order for Vicodin	Vicodin, 2 tablets	Not documented
11/4/97	1800	same	No Order for Nubain	Nubain 10 mg	Not documented
11/12/97	1815	090020477	No Order for Nubain	Nubain 10 mg	Not documented
11/14/97	2040	100174857	No Order for Nubain	Nubain 10 mg	Not documented
11/15/97	1600	100015382	No Order for Nubain	Nubain 10 mg	Not documented
11/15/97	1830	same	same	Nubain 10 mg	Not documented
11/16/97	1800	100174938	Demerol 12.5-25 mg IV Q 2 hrs for continued chest pain	Demerol 100 mg No wastage	Not documented
11/18/97	1530	100175028	No Order for Nubain	Nubain 10 mg	Not documented
11/18/97	2000	100022564	No Order for Nubain	Nubain 10 mg	Not documented
11/19/97	1515	100147769	No Order for Nubain	Nubain 10 mg	Not documented

8. Respondent's conduct in finding of fact seven (7) above was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Health and Safety Code (Controlled Substance Act) and was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.
9. On or about September 4, 1998, Respondent attempted to pass an unauthorized telephonic prescription for Didrex 50 mg and Levothroid 1 mg at Eckerd's Pharmacy, Lubbock, Texas. Attempting to pass a fraudulent telephonically communicated prescription is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health & Safety Code.

10. On or about December 5, 1998, Respondent passed an unauthorized telephonic prescription for Didrex 50 mg and Levothroid 1 mg at Albertson's Pharmacy, Lubbock, Texas. Possession of a controlled substance or dangerous drug through use of a fraudulent telephonically communicated prescription is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health & Safety Code.
11. 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, except as prescribed by a licensed practitioner for a legitimate purpose, followed by licensure limitations/stipulations and/or peer assistance program participation.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, as amended, 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 Article 4525(b)(8), (9) & (11), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(1), (5) & (16).
4. The evidence received is sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 527321, heretofore issued to SYRETHA A. YOUNG.
5. Under Article 4525.1(c), Revised Civil Statutes of Texas, as amended, the Board has the authority to accept the voluntary surrender of a license.
6. Under Article 4525.1(d), Revised Civil Statutes of Texas, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Article 4525(a) and (b), TEX. REV. CIV. STAT. ANN., and 22 TAC 213.29(g) and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Permanent Certificate Number 527321, heretofore issued to SYRETHA A. YOUNG, to practice professional 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 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.
2. 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.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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RESPONDENT'S CERTIFICATION

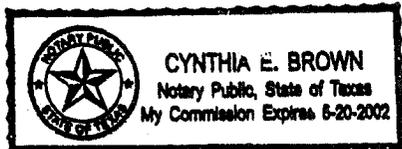
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and any conditions stated in this Order to avoid 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 12th day of July, 1999.

Syretta A. Young (signed by Syan w/
SYRETHA A. YOUNG/Respondent a broken right arm)

Sworn to and subscribed before me this 12th day of July, 1999.

SEAL



Cynthia E. Brown
Notary Public in and for the State of Texas

Approved as to form and substance.

Robert J. Provan
Robert J. Provan, Attorney for Respondent

Signed this 13th day of July, 1999.

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 Permanent Certificate Number 527321, previously issued to SYRETHA A. YOUNG.

Effective this 19th day of July, 1999.



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