



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 662898 § AGREED
issued to SUSAN DAVIS LOONEY § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 662898, issued to SUSAN DAVIS LOONEY, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice 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(s).
2. Respondent waived representation by counsel, informal proceedings, 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 Baccalaureate in Nursing from University of Texas Health Science Center-San Antonio, San Antonio, Texas, on May 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on July 27,1999.
5. Respondent's professional nursing employment history includes:

06/99 - 05/07	Staff Nurse	Methodist Heart Hospital San Antonio, Texas
06/07 - Present	Unknown	

6. On March 13, 2009, Respondent was issued an Agreed Order by the Texas Board of Nursing which required her to participate and successfully complete the Texas Peer Assistance Program for Nurses. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated March 13, 2009, is attached and incorporated by reference as part of this Order.
7. On or about December 8, 2008, while employed with Kindred Hospital, San Antonio, Texas, Respondent signed out Lorazepam 1mg on the Controlled Substance Administration Record for Patient Medical Record Number DN00017295 but documented Lorazepam 2mg in the patient's Medication Administration Record. Respondent's conduct resulted in an inaccurate medical record and was likely to deceive subsequent care givers who relied on the accuracy of the information while providing care to the patient.
8. On or about December 8, 2008, while employed with Kindred Hospital, San Antonio, Texas, Respondent signed out Morphine 4mg on the Controlled Substance Administration Record for Patient Medical Record Number DN00017234 but failed to document the administration of the medication in the patient's Medication Administration Record. Respondent's conduct 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 January 16, 2009, while employed with Kindred Hospital, San Antonio, Texas, Respondent signed out Alprazolam 1mg on the Controlled Substance Administration Record for Patient Medical Record Number DN00016812, with no physician's order for the medication. Respondent's conduct was likely to injure the patient in that the administration of Alprazolam without a valid physician's order could result in the patient suffering from adverse reactions.
10. On or about January 28, 2009, while employed with Kindred Hospital, San Antonio, Texas, Respondent received a physician's order for Norco for Patient Medical Record Number DN00017431, however Respondent documented the order in the patient's medical record as Hydrocodone 5mg. Respondent's conduct resulted in an inaccurate medical record and was likely to deceive subsequent care givers who relied on the accuracy of the information while providing care to the patient.
11. On or about February 8, 2009, while employed with Kindred Hospital, San Antonio, Texas, Respondent signed out Zolpidem 10mg on the Controlled Substance Administration Record for Patient Medical Record Number DN00017410, but failed to document the administration of the medication in the patient's Medication Administration Record. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in over medication.

12. On or about July 1, 2009 through July 15, 2009, while employed with Kindred Hospital, San Antonio, Texas, Respondent signed out Hydrocodone and Morphine on the Controlled Substance Administration Record for Patient Medical Record Numbers DN00017641, DN00017661, DN00017643, DN00017775, and DN00017772, but failed to perform an assessment of the patients' status until after she administered the medications. In addition, Respondent failed to document the patients' pain level prior to administration of the medication, which was ordered for pain. Respondent's conduct resulted in an inaccurate medical record and was likely to deceive subsequent care givers who relied on the accuracy of the information while providing care to the patients. Respondent's conduct also exposed the patients unnecessarily to a risk of harm from complications due to undiagnosed and, consequently, untreated status changes due to her failure to assess the patients in a timely manner.
13. On or about December 25, 2008, July 8, 2009 and July 15, 2009, while employed with Kindred Hospital, San Antonio, Texas, Respondent signed out Hydrocodone on the Controlled Substance Administration Record (CSAR) for Patients, but failed to document the administration of the medications in the patients' Medication Administration Record (MAR), as follows:

Date/Time	Patient	Physician's Order	CSAR	MAR
12/25/08@2330	DN00017077	Hydrocodone 5mg tab PO every 4 hrs PRN	Hydrocodone 5mg	None
7/8/09 @ 0445	DN00017641	Hydrocodone 5mg every 6 hrs PRN moderate pain	Hydrocodone 5mg	None
7/8/09 @ 2250	DN00017641	same	Hydrocodone 5mg	None
7/15/09 @ 0510	DN00017661	Hydrocodone 5mg PO every 6 hrs PRN	Hydrocodone 5mg	None
7/15/09 @ 0615	DN00017661	same	Hydrocodone 5mg	None
7/8/09 @ 2000	DN00017643	Hydrocodone 10mg PO every 4 hrs PRN	Hydrocodone 10mg	None
7/8/09 @ 2335	DN00017643	same	Hydrocodone 10mg	None
7/8/09 @ 0050	DN00017643	same	Hydrocodone 10mg	None
7/8/09 @ 0520	DN00017643	same	Hydrocodone 10mg	None

Respondent's conduct above 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.

14. On or about July 8, 2009, July 14, 2009 and July 15, 2009, while employed with Kindred Hospital, San Antonio, Texas, Respondent signed out Hydrocodone on the Controlled Substance Administration Record (CSAR) for Patients which was in excess frequency/dosage of the physician's order, as follows:

Date/Time	Patient	Physician's Order	CSAR	MAR
7/8/09 @ 0330	DN00017641	Hydrocodone 5mg every 6 hrs PRN moderate pain	Hydrocodone 5mg	0332
7/8/09 @ 0350	DN00017641	same order above - excess frequency	Hydrocodone 5mg	0351
7/8/09 @ 0445	DN00017641	same order above - excess frequency	Hydrocodone 5mg	No
7/8/09 @ 1940	DN00017641	Hydrocodone 5mg every 6 hrs PRN moderate pain	Hydrocodone 5mg	2111
7/8/09 @ 2250	DN00017641	same order above - excess frequency	Hydrocodone 5mg	No
7/14/09 @1935	DN00017661	Hydrocodone 5mg PO every 6 hrs PRN	Hydrocodone 5mg	1936
7/14/09 @ 2130	DN00017661	same order above - excess frequency	Hydrocodone 5mg	2132
7/15/09 @ 0522	DN00017661	Hydrocodone 5mg PO every 6 hrs PRN	Hydrocodone 5mg	0550
7/15/09 @ 0510	DN00017661	same order above - excess frequency	Hydrocodone 5mg	No
7/15/09 @ 0615	DN00017661	same order above - excess frequency	Hydrocodone 5mg	No
7/8/09 @ 1920	DN00017643	Hydrocodone 10mg PO every 4 hrs PRN	Hydrocodone 10mg	1953
7/8/09 @ 2000	DN00017643	same order above - excess frequency	Hydrocodone 10mg	No
7/8/09 @ 2335	DN00017643	Hydrocodone 10mg PO every 4 hrs PRN	Hydrocodone 10mg	No
7/8/09 @ 0050	DN00017643	same order above - excess frequency	Hydrocodone 10mg	No
7/8/09 @ 0345	DN00017643	same order above - excess frequency	Hydrocodone 10mg	0342
7/8/09 @ 0520	DN00017643	same order above - excess frequency	Hydrocodone 10mg	No
7/14/09 @ 0110	DN00017643	Hydrocodone 10mg PO every 4 hrs PRN	Hydrocodone 10mg	0107
7/14/09 @ 0410	DN00017643	same order above - excess frequency	Hydrocodone 10mg	0406

Respondent's conduct was likely to injure the patients in that the administration of Hydrocodone to patients in excess frequency/dosage of the physician's order could result in the patients suffering from adverse reactions.

15. On or about July 1, 2009 through July 15, 2009, while employed with Kindred Hospital, San Antonio, Texas, Respondent misappropriated Hydrocodone and Morphine, or failed to take precautions to prevent the misappropriation of medications belonging to the facility and patients. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

16. On or about August 14, 2009, Respondent failed to comply with the Agreed Order issued to her on March 13, 2009 by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to apply to TPAPN by signing and executing the TPAPN participation agreement within ninety (90) days following the date of entry of the Order dated March 13, 2009. Stipulation Number One (1) states in pertinent part that:

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, . . .

On July 28, 2009, Respondent was dismissed from TPAPN and referred to the Board.

17. Charges were filed on September 10, 2010.
18. Charges were mailed to Respondent on September 13, 2010.
19. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.
20. 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.
21. 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)(1),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(C),(D)&(3)(A) and 217.12(1)(A),(4),(6)(G),(8),(9),&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Registered License Number 662898, heretofore issued to SUSAN DAVIS LOONEY, including revocation of Respondent's license(s) 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 License Number 662898, heretofore issued to SUSAN DAVIS LOONEY, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. 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.

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

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. 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 7 day of Feb, 20 11.

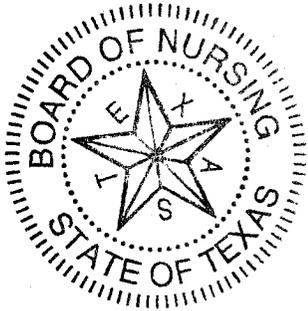
Susan Davis Looney
SUSAN DAVIS LOONEY, Respondent

Sworn to and subscribed before me this _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 662898, previously issued to SUSAN DAVIS LOONEY.



Effective this 17th day of February, 2011.

A handwritten signature in cursive script, reading 'Katherine A. Thomas', is written over a horizontal line.

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 662898 § AGREED
issued to SUSAN DAVIS LOONEY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SUSAN DAVIS LOONEY, Registered Nurse License Number 662898, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on January 7, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal conference, 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 Baccalaureate in Nursing from University of Texas Health Science Center-San Antonio, San Antonio, Texas, on May 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on July 27, 1999.
5. Respondent's professional nursing employment history includes:

06/99 - 05/07	Staff Nurse	Methodist Heart Hospital San Antonio, Texas
06/07 - Present	Unknown	

6. At the time of the incidents, Respondent was employed as a Registered Nurse with Methodist Heart Hospital, San Antonio, Texas, and had been in this position for six (6) years and three (3) months.
7. On or about March 8, 2006, while employed with Methodist Heart Hospital, San Antonio, Texas, Respondent engaged in the intemperate use of Morphine in that she submitted a specimen for a drug screen which resulted positive for Morphine. The use of Morphine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
8. On or about May 21, 2007, while enrolled in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent engaged in the intemperate use of Morphine and Codeine in that Respondent submitted a specimen for a drug screen which resulted positive for Morphine and Codeine. The use of Morphine and Codeine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
9. On or about August 23, 2007, while enrolled in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent failed to comply with a Board approved peer assistance program in that she did not attend 12-step meetings and chemical dependency treatment. Furthermore, she submitted a diluted specimen for a drug screen. On September 4, 2007, Respondent was dismissed from TPAPN and referred to the Board.
10. Respondent states she is guilty of intemperate use of Morphine while employed at Methodist Heart Hospital, San Antonio, Texas. She takes responsibility for having a positive urine drug screen for codeine while in TPAPN. Respondent admitted she had taken codeine for acute pain, prior to the drug screen.
11. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
12. 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.
13. Respondent's conduct described in Findings of Fact Number Seven (7) through Nine (9) resulted from was significantly influenced by Respondent's impairment by dependency on chemicals.
14. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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. The evidence received is sufficient to prove violation of Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(A)(E),(4), (5),(9),(10)(A)(D) & (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 662898, heretofore issued to SUSAN DAVIS LOONEY, including revocation of Respondent's license to practice professional nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice professional nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent 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 Respondent wishes to work.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED, SHOULD RESPONDENT be convicted of the offense as outlined in Finding of Fact Number Seven (7), said judicial action will result in further disciplinary action including Revocation of Respondent's license to practice professional nursing in the State of Texas.

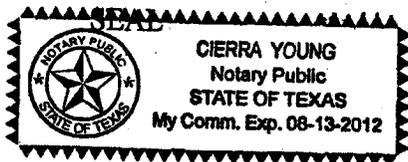
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11 day of March, 2009.

Susan Davis Looney
SUSAN DAVIS LOONEY, Respondent

Sworn to and subscribed before me this 11th day of March, 2009.



Cierra Young
Notary Public in and for the State of Texas

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 11th day of March, 2009, by SUSAN DAVIS LOONEY, Registered Nurse License Number 662898, and said Order is final.



Entered and effective this 13th day of March, 2009.


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