BEFORE THE TEXAS BOARD OF NURSING

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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.
Executive Director of the Board

In the Matter of Registered Nurse	§
License Number 666882	§
issued to LESLIE CHANTEL GANN	§

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Bo: accepted the voluntary surrender of Registered Nurse License Number 666882, issued to LESLIE CHANTEL GANN, 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.

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

FINDINGS OF FACT

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

2. Respondent waived informal proceedings, notice and hearing.

3. Respondent received Baccalaureate Degree in Nursing from the University of Texas at Tyler, Tyler, Texas, on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on February 15, 2000.

4. On or about September 14, 2010, Respondent was issued the sanction of a SUSPEND PROBATE through an Agreed Order by the Board. A copy of the Findings of Fact, Conclusions of Law and Order dated September 14, 2010, is attached and incorporated herein by reference as part of this Order.

5. On November 8, 2010, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated November 3, 2010, is attached and incorporated herein by reference as part of this Order.

6. 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.

7. 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)Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).

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

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

6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 666882, heretofore issued to LESLIE CHANTEL GANN, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of 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 of 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 professional nursing in the State of Texas.

Effective this 1st day of December, 2010.

TEXAS BOARD OF NURSING

By: _____

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

LESLIE CHANTEL GANN
2017 Benjamin Drive
Sanger, Texas 76266
Texas Registered Nurse License #666882

Voluntary Surrender Statement

November 03, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I LESLIE CHANTEL GANN consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Leslie Gann

Date 11/03/2010

Texas Nursing License Number/s 666882

The State of Texas

Before me, the undersigned authority, on this date personally appeared LESLIE CHANGEL GANN who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 3rd day of November, 2010.

SEAL
N. GRIDER
Notary Public
STATE OF TEXAS
My Comm. Exp. March 26, 2013

Notary Public in and for the State of Texas

Approved as to form and substance.

Griffin W. Collie, Attorney for Respondent

Signed this 3d day of November, 2010.

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	
License Number 666882	§	AGREED
issued to LESLIE CHANTEL GANN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LESLIE CHANTEL GANN, Registered Nurse License Number 666882, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code. Respondent waived notice and hearing, and agreed to the entry of this Order offered on April 29, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 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 Baccalaureate Degree in Nursing from the University of Texas at Tyler, Tyler, Texas, on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on February 15, 2000.

5. Respondent's complete professional nursing employment history includes:

02/00-10/03	Unknown	
11/03-1/04	RN	Kaiser Permanente Sacramento, CA

Respondent's complete professional nursing employment history includes (continued):

02/04-05/04	RN	Victor Valley Community Hospital Victorville, CA
06/04-10/06	RN	St. Joseph's Carondelet Hospital Tucson, AZ
11/06-01/07	RN	Cross Country Staffing, Inc. Boca Raton, FL
02/07-06/07	Unknown	
06/07-Present	RN	Presbyterian Hospital of Denton Denton, TX
09/08-Present	RN	Medical Center of Arlington Arlington, TX

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Registered Nurse with Cross Country Staffing, Inc., Boca Raton, Florida, and assigned to Parkland Memorial Hospital, Dallas, Texas, and had been in this position for approximately two (2) months.

7. On or about January 13, 2007, through January 20, 2007, while employed as a Registered Nurse with Cross Country Staffing, Inc., Boca Raton, Florida, and assigned at Parkland Memorial Hospital, Dallas, Texas, Respondent withdrew Morphine, Midazolam and Butorphanol from the Medication Dispensing System (Pyxis) for patients without valid physicians' orders, as follows:

Patient	Date and Time Pulled	Medication Pulled	Time on MAR	Nurse's Notes	Waste	Physicians Order
2120007	1/13/07 12:01PM	Butorphanol SDV 2mg Vial	***Patient Discharged at 4:00PM on 1/12/07			
4072826	1/19/07 11:03AM	Morphine 15mg Syringe	None	None	None	None
2783357	1/19/07 1:39PM	Morphine PCA 1:1 30mg Syringe	None	None	None	None

3135089	1/20/07 8:18PM	Midazolam 5mg Vial	*** Patient Discharged at 6:59AM to Home			
3135089	1/20/07 8:18PM	Morphine 15mg Syringe	*** Patient Discharged at 6:59AM to Home			
2105068	1/20/07 8:20PM	Morphine PCA 1:1 30mg Syringe	None	None	None	None

Respondent's conduct was likely to injure the patient in that the administration of Morphine, Midazolam and Butorphanol, could result in the patient experiencing adverse reactions.

8. On or about January 13, 2007, through January 20, 2007, while employed as a Registered Nurse with Cross Country Staffing, Inc., Boca Raton, Florida, and assigned at Parkland Memorial Hospital, Dallas, Texas, Respondent withdrew Morphine, Midazolam, Butorphanol, and Meperidine from the Medication Dispensing System (Pyxis) for patients, but failed to document, or accurately document the administration of the medications in the patients' Medication Administration Records (MAR) and/or nurse's notes as follows:

Patient	Date and Time Pulled	Medication Pulled	Time on MAR	Nurse's Notes	Waste	Physicians Order
2120007	1/13/07 12:01PM	Butorphanol SDV 2mg Vial	***Patient Discharged at 4:00PM on 1/12/07			
2783357	1/19/07 8:54AM	Meperidine 75mg Syringe	None	None	None	Demerol 50mg IVSP
4072826	1/19/07 11:03AM	Morphine 15mg Syringe	None	None	None	None
2783357	1/19/07 1:39PM	Morphine PCA 1:1 30mg Syringe	None	None	None	None
4072826	1/19/07 1:43PM	Meperidine 75mg Syringe	None	None	None	Demerol 75mg IV x 1

4072826	1/19/07 1:44PM	Meperidine 50mg Syringe	None	None	None	Demerol 75mg IV x 1
3135089	1/20/07 8:18PM	Midazolam 5mg Vial	*** Patient Discharged at 6:59AM to Home			
3135089	1/20/07 8:18PM	Morphine 15mg Syringe	*** Patient Discharged at 6:59AM to Home			
2105068	1/20/07 8:20PM	Morphine PCA 1:1 30mg Syringe	None	None	None	None
3146659	1/20/07 8:24PM	Meperidine 75mg Syringe	None	None	None	Demerol 75mg IV x 1
3146659	1/20/07 8:24PM	Meperidine 50mg Syringe	None	None	None	Demerol 75mg IV x 1

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.

9. On or about January 13, 2007, through January 20, 2007, while employed as a Registered Nurse with Cross Country Staffing, Inc., Boca Raton, Florida, and assigned at Parkland Memorial Hospital, Dallas, Texas, Respondent withdrew Morphine, Midazolam, Butorphanol, and Meperidine from the Medication Dispensing System (Pyxis) for patients, but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications as follows:

Patient	Date and Time Pulled	Medication Pulled	Time on MAR	Nurse's Notes	Waste	Physicians Order
2120007	1/13/07 12:01PM	Butorphanol SDV 2mg Vial	***Patient Discharged at 4:00PM on 1/12/07			
2783357	1/19/07 8:54AM	Meperidine 75mg Syringe	None	None	None	Demerol 50mg IVSP
4072826	1/19/07 11:03AM	Morphine 15mg Syringe	None	None	None	None

2783357	1/19/07 1:39PM	Morphine PCA 1:1 30mg Syringe	None	None	None	None
4072826	1/19/07 1:43PM	Meperidine 75mg Syringe	None	None	None	Demerol 75mg IV x 1
4072826	1/19/07 1:44PM	Meperidine 50mg Syringe	None	None	None	Demerol 75mg IV x 1
3135089	1/20/07 8:18PM	Midazolam 5mg Vial	*** Patient Discharged at 6:59AM to Home			
3135089	1/20/07 8:18PM	Morphine 15mg Syringe	*** Patient Discharged at 6:59AM to Home			
2105068	1/20/07 8:20PM	Morphine PCA 1:1 30mg Syringe	None	None	None	None
3146659	1/20/07 8:24PM	Meperidine 75mg Syringe	None	None	None	Demerol 75mg IV x 1
3146659	1/20/07 8:24PM	Meperidine 50mg Syringe	None	None	None	Demerol 75mg IV x 1

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

10. On or about January 13, 2007, through January 20, 2007, while employed as a Registered Nurse with Cross Country Staffing, Inc., Boca Raton, Florida, and assigned at Parkland Memorial Hospital, Dallas, Texas, Respondent misappropriated Morphine, Midazolam, Butorphanol, and Meperidine from the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

11. On or about January 19, 2007, while employed as a Registered Nurse with Cross Country Staffing, Inc., Boca Raton, Florida, and assigned at Parkland Memorial Hospital, Dallas, Texas, Respondent lacked fitness to practice professional nursing in that she showed signs of seizure or seizure like symptoms, was visibly shaking, and reported having auras. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

12. On or about April 9, 2008, while employed as a registered nurse with Presbyterian Hospital of

Denton, Denton, Texas, Respondent withdrew Nubian from the Medication Dispensing System for Patient Account Number 10197517 without a valid physicians' order as follows:

Patient	Date and Time Pulled	Medication Pulled	Time on MAR	Nurse's Notes	Waste	Physicians Order
D00010197517	04/09/08 2022	Nubain (1)	Not Noted as given on MAR, but Noted as a "Medication given in Labor" on the Delivery Summary	None	None	None

Respondent's conduct was likely to injure the patient, int hat the administration of Nubian, without a valid physician's order, could result in the patient experiencing adverse reactions.

13. On or about May 7, 2008, while employed as a Registered Nurse with Presbyterian Hospital of Denton, Denton, Texas, Respondent engaged in the intemperate use of alcohol in that she submitted a specimen for a drug screen requested by Texas Peer Assistance Program for Nurses that resulted positive for Ethyl Glucuronide (614 ng/mL) and ETS (71 ng/mL). The use of alcohol 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 patients 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.

14. On or about August 5, 2008, while employed as a Registered Nurse with Presbyterian Hospital of Denton, Denton, Texas, Respondent engaged in the intemperate use of alcohol in that she produced a specimen for a drug screen requested by Texas Peer Assistance Program for Nurses that resulted positive for Ethanol (0.075%), Ethyl Glucuronide (>10000 ng/mL) and ETS (>1000 ng/mL). The use of alcohol 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 patients 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.

15. On or about August 25, 2008, while employed as a Registered Nurse with Presbyterian Hospital of Denton, Denton, Texas, Respondent engaged in the intemperate use of Alcohol in that she produced a specimen for a drug screen requested by Texas Peer Assistance Program for Nurses that resulted positive for Ethyl Glucuronide (304 ng/mL) and ETS (126 ng/mL). The use of alcohol 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 patients 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.

16. Respondent underwent a Forensic Psychological Evaluation with a Chemical Dependency Component on January 12, 2010, by Dr. J. Randall Price, ABPP, FACPN. Dr. Price states that Respondent admits that she took the medications from Parkland in an attempt to kill herself and stated that she didn't want to hurt anymore but just wanted to go to sleep. Dr. Price additionally states that Respondent's substance dependence screening reveals a probability for the presence of a history of substance abuse, but that she reported her last consumption of alcohol was in March of 2007. Dr. Price's conclusion and recommendation is that Respondent does not meet diagnostic criteria for a serious mental disorder, personality disorder, or substance dependence disorder at this time. Her dysthymic symptoms are mild, and she remains under the outpatient care of a psychiatrist.,

Dr. Price concludes that, there are no current conditions that would be expected to preclude her from being able to behave in accordance with Board Rules concerning generally accepted nursing standards and professional conduct. Additionally, Dr. Price states that it is likely that Respondent will be able to refrain from unprofessional conduct as defined by Board Rules.

17. 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)(9),(10),(12)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(B)&(C),(4),(5),(6)(A),(G)&(H),(8), (9),(10)(A),(B),(C)&(E)&(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 666882, heretofore issued to LESLIE CHANTEL GANN, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 666882, previously issued to LESLIE CHANTEL GANN, to practice professional nursing in Texas is hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order the Respondent may not work outside the State of Texas pursuant to a nurse licensure

compact 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.

(1) RESPONDENT 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.

(2) RESPONDENT SHALL, within one (1) year of entry of this order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT 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. RESPONDENT 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 RESPONDENT'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.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order

to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: http://www.learningext.com/products/generalce/critical/ctabout.asp*.

(4) RESPONDENT SHALL pay a monetary fine in the amount of five-hundred dollars ($500). RESPONDENT SHALL pay this fine within forty-five (45) days of the suspension being stayed. 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.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) 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 PROBATIONARY PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT

SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT 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.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) For the remainder of the probation period, RESPONDENT 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 RESPONDENT, 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 Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-

employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT 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 Respondent is regularly assigned for one (1) year of employment as a nurse.

(10) RESPONDENT 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.

(11) RESPONDENT 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.

(12) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. 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 two (2) year(s) of employment as a nurse.

(13) RESPONDENT 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, RESPONDENT 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 RESPONDENT 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.

(14) RESPONDENT 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 probation 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 RESPONDENT's place of employment at any time during the probation period and require RESPONDENT 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. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation 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 Respondent's license and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

(15) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the probation period, or until RESPONDENT is dismissed from therapy.

(16) RESPONDENT 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. RESPONDENT 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 RESPONDENT. RESPONDENT 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 and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the

probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

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

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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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 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 20 day of July, 2010.

LESLIE CHANTEL GANN, Respondent

Sworn to and subscribed before me this 20 day of July, 2010.

SEAL

STEPHANIE DAVIDSON
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 03/11/2014

Notary Public in and for the State of TEXAS

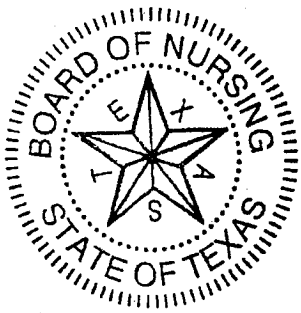
Approved as to form ~~and substance~~.

GRIFFIN W. COLLIE, Attorney for Respondent

Signed this 10 day of August, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of July, 2010, by LESLIE CHANTEL GANN, Registered Nurse License Number 666882, and said Order is final.

Effective this 14th day of September, 2010.



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