

IN THE MATTER OF REGISTERED NURSE
LICENSE NUMBER 661927
ISSUED TO KRISTINE LYNELL BEASLEY

§
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§

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.
Katherine A. Thomas
Executive Director of the Board

NUNC PRO TUNC ORDER OF THE BOARD

TO: Kristine Lynell Beasley
9257 CR 133
Kaufman, TX 75142

During open meeting held in Austin, Texas, the Texas Board of Nursing (Board) finds that an Agreed Order of the Board was mistakenly ratified and entered for Kristine Lynell Beasley. The Agreed Order, signed by Ms. Beasley on February 2, 2010, mistakenly reflects an effective date of March 23, 2009. This date is incorrect. The correct effective date of the Order is March 23, 2010. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Texas Board of Nursing, after review and due consideration of the record and the facts therein, invalidates the Agreed Order of the Board for Kristine Lynell Beasley that is dated March 23, 2009, and submits and enters the corrected Agreed Order of the Board, with the effective date of March 23, 2010. No other changes to the Order have been made. Ms. Beasley received due process regarding her nursing license; therefore, her rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Agreed Order of the Board is hereby approved and entered on the dates set forth below.

Order effective March 23, 2010.

Entered this 28th day of June, 2010.

TEXAS BOARD OF NURSING

BY:

Handwritten signature of Katherine A. Thomas in cursive script.

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 661927 §
issued to KRISTINE LYNELL BEASLEY § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that KRISTINE LYNELL BEASLEY, hereinafter referred to as Respondent, Registered Nurse License Number 661927, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on January 5, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, Executive Director; John F. Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Lance Brenton, Legal Intern; Toni Frizell, RN, Investigator; Kathy Duncan, RN, Investigator; and Amy Grissom, RN, Investigator.

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, notice and hearing, and consented 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 in Nursing from El Centro College, Dallas, Texas, on May 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on July 8, 1999.

5. Respondent's nursing employment history includes:

6/1999-4/2005	Registered Nurse	Methodist Dallas Medical Center Dallas, Texas
5/2005-2/2008	Registered Nurse	Presbyterian Hospital of Kaufman Kaufman, Texas
3/2008-3/2009		Not employed in Nursing
4/2009-11/2009	Registered Nurse	Ennis Regional Medical Center Kaufman, Texas
12/2009-Present	Unknown	

6. On or about March 29, 1999, Respondent falsely indicated on her Application for Initial Licensure by Examination submitted to the Board of Nurse Examiners for the State of Texas that she had never been convicted of any crime other than a minor traffic violation.

On or about June 16, 1992, Respondent pled guilty to, and was convicted of, Driving While Intoxicated (a misdemeanor offense that occurred on April 12, 1992), in the County Court of Navarro County, Texas, Cause Number 37454.

Respondent's conduct may have affected the Board's decision regarding her application for licensure.

7. At the time of the incident in Finding of Fact Number Eight (8), Respondent was employed as a Registered Nurse with Methodist Dallas Medical Center, Dallas, Texas, and had been in this position for five (5) years and nine (9) months.
8. On or about March 14, 2005, while employed as a Registered Nurse with Methodist Dallas, Medical Center, Dallas, Texas, Respondent failed to give an accurate report of the status of the procedure, perform a sponges and sharps count with her relief scrub person, identify the fluids on the table, or identify tissue in the field, as required, when she was relieved in the midst of a surgical procedure for Patient Medical Record Number DU00187657. The patient had a Total Abdominal Hysterectomy performed by one surgeon followed by an Abdominoplasty, Liposuction, and Bilateral Blepharoplasty performed by another surgeon. Respondent's conduct exposed the patient unnecessarily to a risk of harm from failure to account for all items used during the surgical procedures, which could result in foreign items being left in the patient. In addition, the subsequent care givers would have relied on an accurate report while providing further care to the patient.

9. On or about June 20, 2007, while employed with Presbyterian Hospital of Kaufman, Kaufman, Texas, Respondent misappropriated Methadone belonging to Patient D.A. On June 21, 2007, Respondent was arrested and the arresting officer found in the Respondent's possession a bottle of Methadone belonging to Patient D.A. The patient had returned a bottle of Methadone containing thirty-three (33) tablets to the Respondent, who documented in her nursing notes, dated June 20, 2007, the receipt of the drug. Respondent's conduct defrauded the hospital and patient the cost of the medication and was in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
10. In response to the incidents in Findings of Fact Numbers Six (6), Eight (8), and Nine (9), Respondent states that she did not understand that a misdemeanor conviction of driving while intoxicated would be considered to be more than a minor traffic violation and so she indicated that she had never been convicted of any crime other than a minor traffic violation on her initial application for licensure. Regarding the incident while employed as a Registered Nurse with Methodist Dallas, Medical Center, Dallas, Texas, Respondent admits that, because she was upset that the surgery started without a circulating nurse and because she went all day without a break, she left angry and did not complete the required instrument count and admits that she failed to label fluid on the table and she was the scrub tech receiving the fluid. Regarding the methadone incident, Respondent states the reason she had the Methadone in her possession, at the time of her arrest, was there was no one available at the Pain Clinic with whom she could waste the medication and there was no area to leave the medication at the clinic that was "safe", and so she took the medication with her into her own car and put it in a bag she kept for use in her other job as a Home Health nurse.
11. Charges were filed on April 27, 2009.
12. Charges were mailed to Respondent on May 7, 2009.

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 violations of Article 4525(b)(2)&(9), TEX. REV. CIV. STAT. ANN. [effective 9/1997], Section 301.452(b)(10)&(13), Texas Occupations Code [effective 9-1-2003], and 22 TEX. ADMIN. CODE §217.12(1)(B),(1)(O),(4)&(6)(G),(8),(10)(E)&(11)(B)[effective after 9/28/04].
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 661927, heretofore issued to KRISTINE LYNELL BEASLEY, including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and 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.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice nursing in compact states.

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 that:

(1) 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>

(2) 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>*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty (\$250.00) dollars. RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. 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, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure 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 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 02 day of February, 2010.

Kristine Lynell Beasley
KRISTINE LYNELL BEASLEY, Respondent

Sworn to and subscribed before me this 02 day of February, 2010.

SEAL

Rorie Ferrer

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 2nd day of February, 2010, by KRISTINE LYNELL BEASLEY, Registered Nurse License Number 661927, and said Order is final.



Effective this 23rd day of March, 2010.

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

BEFORE THE TEXAS BOARD OF NURSING

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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.

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IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure 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 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 02 day of February, 2010.

Kristine Lynell Beasley
KRISTINE LYNELLE BEASLEY, Respondent

Sworn to and subscribed before me this 02 day of February, 2010.

SEAL

Rorie Ferrer

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 2nd day of February, 2010, by KRISTINE LYNELL BEASLEY, Registered Nurse License Number 661927, and said Order is final.



Effective this 23rd day of March, 2009.


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