BEFORE THE TEXAS BOARD OF NURSING

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| In the Matter of Registered Nurse | § | AGREED |
| License Number 698035 | § | |
| issued to Suzanne Maire Deichler | § | ORDER |

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

On this day, the Texas Board of Nursing, hereinafter referred to as the Bo accepted the voluntary surrender of Registered Nurse License Number 698035, issued to SUZANNE MARIE DEICHLER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the 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.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent holds a license to practice professional nursing in the State of Texas, which is in delinquent status.

4. Respondent received an Associate Degree in Nursing from Eastern Oklahoma State College, Wilburton, Oklahoma, on May 1, 2001. Respondent was licensed to practice professional nursing in the State of Texas on July 10, 2003.

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

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| 05/02-05/03 | RN | McAlester Regional<br>McAlester, Oklahoma |

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

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| 06/03-03/05 | RN | Baylor University Medical Center<br>Dallas, Texas |
| 04/05 | Unknown | |
| 05/05-06/05 | RN | Doctors Hospital<br>Dallas, Texas |
| 06/05-05/07 | RN | Presbyterian Hospital of Allen<br>Allen, Texas |
| 06/07-Present | Unknown | |

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Registered Nurse with Presbyterian Hospital of Allen, Allen, Texas, and had been in this position for approximately, one (1) year and nine (9) months.

7. On or about March 18, 2007, while employed as a Registered Nurse with Presbyterian Hospital of Allen, Allen, Texas, Respondent lacked fitness to practice nursing in that she was confused, did not realize she had a patient who was being monitored, had a scattered thought process and was unable to find her car. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patents' 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.

8. On or about April 17, 2007, while employed as a Registered Nurse with Presbyterian Hospital of Allen, Allen, Texas, Respondent lacked fitness to practice nursing in that she was distracted and rambling when communicating with physicians. Respondent's conditioncould 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.

9. On or about May 4, 2007, while employed as a Registered Nurse with Presbyterian Hospital of Allen, Allen, Texas, Respondent lacked fitness to practice nursing in that she had slurred speech, was difficult to understand, had a scattered thought process, and stated that she had been experiencing hallucinations. 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.

10. On or about May 5, 2007, while employed as a Registered Nurse with Presbyterian Hospital of Allen, Allen, Texas, Respondent lacked fitness to practice nursing in that she was admitted to inpatient treatment for drug dependence and mental health issues after an overdose. 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 patient in potential danger.

11. In Response to Allegations Numbered Seven (7) thorough Ten(10), Respondent states that prior to these allegations she was taking Depakote ER, approximately four (4) to five (5) months leading up to the allegations and had requested a change in her medications. At that time she states that her RNP placed her on Tegretol and Ambien. Respondent states that she didn't notice any change from the new medications at first, but after 1 1/2 months on these new medications she began to feel bad; with scattered thoughts, a decrease in concentration. Additionally, her family noticed that she wouldn't go straight to sleep after taking the Ambien, but would get up and act as though she was awake, but would have amnesia to the incidents the next day. Respondent states that she was not aware that she was going to work and demonstrating this behavior or lacking fitness and is not sure, due to the amnesia, if she went to work after taking the Ambien. Respondent states that the medication, Tegretal, was causing her to have terrible dreams/nightmares, which led to insomnia, increase in confusion, scattered thoughts, and a decline in her nursing skills and practice.

12. On or about July 10, 2005, Respondent submitted a Board of Nurse Examiners Texas Online Renewal Document, Registered Nurse, in which Respondent provided false, deceptive, and/or misleading information, in that she answered "No" to the following question:

> In the past 5 years, have you been diagnosed with or treated or hospitalized for schizophrenia or other psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?

On or about 2005, Respondent was diagnosed and treated for Bi-polar Disorder. Respondent's conduct was deceiving and may have affected the Board's decision to license her.

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

14. 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.

15. 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 violation of Section 301.452(b)(10)&(12), Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(5)&(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 698035, heretofore issued to SUZANNE MARIE DEICHLER, including revocation of Respondent's license to practice nursing in the State of Texas.

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

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

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

## ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 698035, heretofore issued to SUZANNE MAIRE DEICHLER, 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 immediately deliver the wallet-sized license, heretofore issued to SUZANNE MARIE DEICHLER, to the office of the Texas Board of Nursing.

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

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.

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

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

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## RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 4 day of June, 2010.

Suzanne M Deichler

SUZANNE MARIE DEICHLER, Respondent

Sworn to and subscribed before me this 4th day of June, 2010.

SEAL

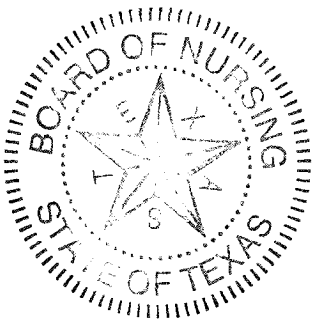
Linda Thompson

Notary Public in and for the State of Oklahoma

# 09000374

Exp. 1-12-13

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 698038, previously issued to SUZANNE MARIE DEICHLER.




Effective this 9th day of June, 2010.

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