BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Registered Nurse	§	AGREED
License Number 531434	§	
issued to KATHY ANN CAMP	§	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 Bc considered the matter of KATHY ANN CAMP, Registered Nurse License Number 531434, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 25, 2010, 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 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 Associate Degree in Nursing from Kettering College of Medical Arts, Kettering, Ohio, in July 1980. Respondent was licensed to practice vocational nursing in the State of Texas on May 12, 1986.

5. Respondent's professional nursing employment history includes:

07/96 - 07/97	Office Nurse	Office of Dr. Sayers Center, Texas

Respondent's professional nursing employment history continued:

07/97 - 06/01	School Nurse	Center Independent School District Center, Texas
07/01 - 01/08	RN Supervisor Charge Nurse	Shelby Regional Medical Center Center, Texas
06/08 - 03/08	RN Supervisor	Oak Manor Nacogdoches, Texas
03/08 - 07/09	Staff Nurse L & D	East Texas Medical Center Carthage, Texas
08/09 - Present	Unknown	

6. At the time of the incidents in Findings of Fact Numbers Seven (7) through Ten (10), Respondent was employed as RN Supervisor/Charge Nurse with Shelby Regional Medical Center, Center, Texas, and had been in this position for five (5) years.

7. During May 31, 2006 through July 18, 2006, while employed with Shelby Regional Medical Center, Center, Texas, Respondent misappropriated medications including Xanax, Lorcet, Percocet, and Valium, belonging to the facility and/or the patients. Possession of Xanax, Lorcet, Percocet, and Valium without a valid prescription is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

8. On or about July 14, 2006, while employed with Shelby Regional Medical Center, Center, Texas, Respondent signed out Alprazolam on the Controlled Substance Record for Patient T.A., without a physician's order. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that the administration of Alprazolam without a physician's order could result in the patient suffering from adverse reactions.

9. On or about July 20, 2006, while employed with Shelby Regional Medical Center, Center, Texas, Respondent engaged in the intemperate use of Propoxyphene in that Respondent provided a specimen for a drug screen which resulted positive for Propoxyphene. Possession of Propoxyphene is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Propoxyphene 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.

10. On or about December 21, 2007, while employed with Shelby Regional Medical Center, Center, Texas, and participating in the Texas Peer Assistance Program, Respondent engaged in the intemperate use of Alcohol in that Respondent provided a specimen for a drug screen which resulted positive for Ethyl Glucuronide >10000 ng/ml and she admitted to drinking. 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 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.

11. On or about February 6, 2008, Respondent engaged in the intemperate use of Codeine and Morphine in that while participating in TPAPN, Respondent provided a specimen for a drug screen which resulted positive for Opiates, Codeine, and Morphine. On March 6, 2008, Respondent was dismissed from TPAPN and referred to the Board. Possession of Opiates, Codeine, and Morphine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Opiates, Codeine, and 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.

12. At the time of the incidents in Findings of Fact Numbers Thirteen (13) through Eighteen (18), Respondent was employed as Staff Nurse with East Texas Medical Center, Carthage, Texas, and had been in this position for one (1) year and four (4) months.

13. On or about July 13, 2009 through July 18, 2009, while employed with East Texas Medical Center, Carthage, Texas, Respondent signed out Lortab 7.5mg on the Controlled Substance Administration Record (CSAR)for Patients Medical Record Numbers 00-92-02 and 01-60-52, as follows. However, the patients denied receiving the documented doses.

Date/Time	Patient	Physician's Order	CSAR	MAR	Nurses Notes
7/13/09 @ 1915	00-92-02 (SM)	Lortab 7.5mg 2 tabs Q 3-4 hrs PO PRN pain scale 6-10	2 - Lortab 7.5mg	1915 - 2 Lortab	1900- Lortab 2 tabs
7/13/09 @ 2300	same	same	2 - Lortab 7.5mg	2300 - 2 Lortab	2300- Lortab 2 tabs
7/13/09 @ 0230	same	same	2 - Lortab 7.5mg	0230 - 2 Lortab	0230- Lortab 2 tabs
7/13/09 @ 0630	same	same	2 - Lortab 7.5mg	0630 - 2 Lortab	0630- Lortab 2 tabs
7/15/09 @ 0100	same	same	2 - Lortab 7.5mg	0100 -2 Lortab	0100- Lortab 2 tabs
7/15/09 @ 0600	same	same	2 - Lortab 7.5mg	0600-2 Lortab	0600- Lortab 2 tabs
7/17/09 @ 1920	01-60-52 (KC)	Lortab 7.5mg 2 tabs Q 3-4 hrs PO PRN pain scale 6-10	2 - Lortab 7.5mg	1920	1920- Lortab 2 tabs
7/17/09 @ 0000	same	same	2 - Lortab 7.5mg	0000	0000- Lortab 2 tabs
7/18/09 @ 0615	same	same	2 - Lortab 7.5mg	0615	0615- Lortab 2 tabs

Respondent's conduct was likely to defraud the patients of the cost of the medications and was likely to deceive subsequent care givers who relied on the accuracy of the information while providing care to the patient.

14. On or about July 13, 2009 through July 22, 2009, while employed with East Texas Medical Center, Carthage, Texas, Respondent misappropriated medications including Lortab, Morphine, and Tylenol #3 belonging to the facility and/or the patients thereof. Possession of Lortab, Morphine, and Tylenol #3 without a valid prescription is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

15. On or about July 14, 2009, while employed with East Texas Medical Center, Carthage, Texas, Respondent made a false entry in the Controlled Substance Administration Record in that when the pharmacy staff inquired about a discrepancy with Tylenol #3, Respondent documented a name of a patient which did not match the records. Respondent's conduct was likely to defraud the facility of the cost of the medication and 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).

16. On or about July 22, 2009, while employed with East Texas Medical Center, Carthage, Texas, Respondent signed out two (2) vials of Morphine PCA on the Controlled Substance Administration Record for Patient Medical Record Number 05-08-43, without a physician's order and failed to document the administration of the medication in the PCA Pump Medication Record. Respondent's conduct was likely to defraud the facility and patient of the cost of the medication. In addition, Respondent's conduct exposed the patient unnecessarily to a risk of harm in that subsequent care givers would rely on her documentation to further medicate the patient.

17. On or about July 22, 2009, while employed with East Texas Medical Center, Carthage, Texas, Respondent withdrew and administered Zofran 8mg to Patient Medical Record Number 05-08-34 without a physician's order. The physician denied giving an order for Zofran. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that the administration of Zofran without a valid physician's order could result in the patient suffering from adverse reactions.

18. On or about July 22, 2009, while employed with East Texas Medical Center, Carthage, Texas, Respondent withdrew Lortab at 1830 for Patient Medical Record Number 05-84-39. Respondent was not on duty until 1930 and the patient was discharged home at 1831. Respondent's conduct was likely to defraud the patient of the cost of the medication.

19. 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.

20. 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.

21. Charges were filed on January 20, 2010.

22. Charges were mailed to Respondent on January 21, 2010.

23. Respondent's conduct described in Findings of Fact Numbers Seven (7) through Eighteen (18) resulted from Respondent's impairment by dependency on chemicals.

24. 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 violations of Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(C)&(D) and 217.12(1)(A),(B),(4),(5),(6)(G),(H),(8),(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 531434, heretofore issued to KATHY ANN CAMP, including revocation of Respondent's license to practice 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):

RESPONDENT SHALL deliver the wallet-sized license issued to KATHY ANN CAMP, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(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 ($500.00) payab 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 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, Texas Occupations Code, Section §§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 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, 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 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.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 20th day of April, 2010.

Kathy Ann Camp

KATHY ANN CAMP, Respondent

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

SEAL

CYNTHIA J WELCH
Notary Public, State of Texas
My Commission Expires
November 10, 2013

Cynthia Welch

Notary Public in and for the State of 11-10-13

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 20th day of April, 2010, by KATHY ANN CAMP, Registered Nurse License Number 531434, and said Order is final.

Entered and effective this **27th** day of **April**, **2010**.

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