BEFORE THE TEXAS BOARD OF NURSING

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

BOARD OF NURSING TEXAS
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 Boar considered the matter of KRISTINE LYNELL BEASLEY, Registered Nurse License Number 661927, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 12, 2014.

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(s).

2. Respondent waived notice and hearing, and agreed to the entry of this Order.

3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.

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 professional nursing employment history includes:

6/1999 - 4/2005	RN	Methodist Dallas Medical Center Dallas, Texas

Respondent's professional nursing employment history continued:

4/2005 - 2/2008	RN	Presbyterian Hospital of Kaufman Kaufman, Texas
3/2008 - 9/2008	Not Employed in Nursing	
10/2008 - 3/2009	Unknown	
4/2009 - 11/2009	RN	Ennis Regional Medical Center Ennis, Texas
12/2009 - 6/2010	Unknown	
7/2010 - 7/2013	RN	United Surgical Partners International - Baylor Surgicare at Plano Plano, Texas
8/2013 - Present	Unknown	

6. On or about March 23, 2010, Respondent's license to practice professional nursing in the State of Texas was issued the sanction of a Warning with Stipulations. The Findings of Fact, Conclusions of Law, and Order dated March 23, 2010, is attached and incorporated, by reference, as part of this Order.

7. On or about May 3, 2010, Respondent submitted an online renewal document to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following question:

> "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
>
> A. been convicted of a misdemeanor?
> C. pled nolo contendere, no contest, or guilty?
> F. been sentenced to serve jail or prison time? court-ordered confinement?"

Respondent failed to disclose that on or about October 9, 2008, she entered a plea of Nolo Contendere and was convicted of OBSTRUCT HIGHWAY PASSAGEWAY, a Class B misdemeanor offense committed on or about June 21, 2007, in the Henderson County Court at Law, Henderson County, Texas, under Cause No. 2008-0073CL. As a result of the conviction, Respondent was sentenced to confinement in the Henderson County Jail for a period of two (2) days (with two (2) days credit), and ordered to pay a fine and court costs. Additionally, Respondent failed to disclose that on or about December 2, 2009, she was

convicted of DRIVING WHILE LICENSE INVALID in the Municipal Court of the City of Gun Barrel, Texas, under Cause No. 068643.

8. On or about March 28, 2012, Respondent was arrested by the Terrell Police Department, Terrell, Texas, for DRIVING WHILE LICENSE INVALID WITH PREVIOUS CONVICTION, a misdemeanor offense.

On or about September 6, 2012, Respondent entered a plea of No Contest to DRIVING WHILE LICENSE INVALID WITH PREVIOUS CONVICTION, a Class B misdemeanor offense committed on or about March 28, 2012, in the County Court at Law No. 2, Kaufman County, Texas, under Cause No. 12CL-1080-2. As a result of the plea, the proceedings against Respondent were deferred, without entering an adjudication of guilt, and Respondent was placed on probation for a period of six (6) months and ordered to pay a fine and court costs.

9. On or about April 26, 2012, Respondent submitted an online renewal document to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following question:

> "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
>
> H. been arrested or have any pending criminal charges?"

Respondent failed to disclose that on or about March 28, 2012, she was arrested by the Terrell Police Department, Terrell, Texas, for DRIVING WHILE LICENSE INVALID W/PREVIOUS CONVICTION/SUSP/W/O FIN RES, a Class B misdemeanor offense.

10. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she did not intend to be deceptive or falsify information. She had just appeared at a Board review and complied prior to renewal. She believed all inquires and stipulations had been satisfied.

In response to the incident in Finding of Fact Number Eight (8), Respondent states that while driving her son's truck she was pulled over for an expired registration. It was at this time that she discovered that her drivers license was invalid once again. She was not aware of its expiration as she had not received notice. Had she known her drivers license was invalid her judgment would have been different.

In response to the incident in Finding of Fact Number Nine (9), Respondent states that two months after her father's death she was arrested and had to renew. Had she reported her arrest, she expected a process similar to this; however, she was not capable at such a vulnerable time in her personal life. She was motivated by nothing but fear and the need to work and provide for herself and her family while in profound transition.

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(s) of 22 TEX. ADMIN. CODE §217.12(6)(I)&(13).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2)&(10), 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(s) to practice nursing in the State of Texas.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REPRIMAND WITH STIPULATIONS AND FINE** in accordance with the terms of this Order.

A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to 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.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of entry of this Order, unless otherwise specifically indicated**:

A. **A course in Texas nursing jurisprudence and ethics** that 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. Home study courses and video programs will not be approved.

B. **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/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of two hundred fifty dollars ($250.00) 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.

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

A. **Notifying Present and Future Employers**: RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.

B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.

C. **Indirect Supervision:** RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational 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.

D. **Nursing Performance Evaluations:** 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 nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for eight (8) quarters [two (2) years] of employment as a nurse.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may 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 waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this 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 when this Order becomes final and the terms of this Order become effective, 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11 day of Nov, 2014.

Kristine L. Beasley

KRISTINE LYNELL BEASLEY, Respondent

Sworn to and subscribed before me this 11th day of Nov, 2014.

SEAL

Cathy S Winchester

Notary Public in and for the State of Texas

CATHY S WINCHESTER
NOTARY PUBLIC
State of Texas
Comm. Exp. 11-25-2017

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 11th day of November, 2014, by KRISTINE LYNELL BEASLEY, Registered Nurse License Number 661927, and said Order is final.

Effective this 9th day of December, 2014.

Katherine A. Thomas, MN, RN, FAAN
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 then 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, 20 10.

Kristine L Beasley

KRISTINE LYNELL BEASLEY, Respondent

Sworn to and subscribed before me this 02 day of February, 20 10.

SEAL

Rorie Ferrer

Notary Public in and for the State of Texas

RORIE FERRER
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
2/24/2013

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