

STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF NURSING

IN RE:
CRISTINA JEAN WILLIAMS
License No. 026.0048223

Docket No. 2009-436

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney BetsyAnn Wrask, and the Respondent, Cristina Jean Williams, RN, who stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has authority to issue warnings or reprimands; suspend, revoke, limit, or condition current licenses; or prevent the renewal of lapsed licenses if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct. 3 V.S.A. § 129(a); 3 V.S.A. § 129a; 3 V.S.A. § 814(d); 26 V.S.A. § 582; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation.
2. The Board has authority to discipline any licensee or refuse to license any person who has had a license application denied or a license revoked, suspended, limited, conditioned, or otherwise disciplined by a licensing agency in another jurisdiction for conduct which would constitute unprofessional conduct in this state, or has surrendered a license while under investigation for unprofessional conduct. 3 V.S.A. § 129(a)(5).

Statement of Facts

3. Cristina Jean Williams (the "Respondent") of Terrell, Texas is licensed by the State of Vermont as a Registered Nurse under license number 026.0048223. This license was originally issued on or about April 24, 2009 and is currently set to expire on or about March 31, 2011. Respondent is also licensed by the State of Texas as a Registered Nurse under license number 677501. Respondent's Texas license was originally issued on or about June 5, 2001 and is currently set to expire on or about July 31, 2012.
4. On or about June 3, 2009 pursuant to a Findings of Fact, Conclusions of Law, and Order signed by Respondent, the Texas Board of Nursing ordered Respondent to successfully complete the Texas Peer Assistance Program for Nurses. Attachment A.

STATE OF VERMONT



Prosecuting Attorney
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9 Baldwin Street
Montpelier, VT
05609-1107

This discipline was due in part to allegations that Respondent had admitted diverting Norco (hydrocodone and acetaminophen) from the facility where she worked for her own use by falsifying patient records, and had tested positive for hydrocodone. Attachment A.

Charges

5. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:
- a. 26 V.S.A. § 1582(a)(3) (Is unable to practice nursing competently by reason of any cause);
 - b. ARBN Chapter 4, Subchapter 4, Rule II(B)(1) and (2) ("Inability to practice nursing competently" includes: (1) performance of unsafe or unacceptable patient care; and (2) failure to conform to the essential standards of acceptable and prevailing practice);
 - c. ARBN Chapter 4, Subchapter 4, Rule II(C) ("Any cause" includes, but is not limited to, reasons of physical or mental disability or use of drugs, narcotics, chemicals, or any other type of materials);
 - d. 26 V.S.A. § 1582(a)(5) (Is habitually intemperate or is addicted to the use of habit-forming drugs);
 - e. 26 V.S.A. § 1582(a)(7) (Engages in conduct of a character likely to deceive, defraud, or harm the public) which includes falsifying or altering clinical records or making inaccurate or misleading entries pursuant to ARBN Chapter 4, Subchapter 4, Rule II(D)(3); and diverting supplies, equipment, or drugs for personal or other unauthorized use pursuant to ARBN Chapter 4, Subchapter 4, Rule II(D)(4);
 - f. 3 V.S.A. § 129a(a)(7) (Willfully making or filing false reports or records in the practice of the profession; willfully impeding or obstructing the proper making or filing of reports or records; or willfully failing to file the proper reports or records);
 - g. 3 V.S.A. § 129a(b)(1) and (2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or client care; or (2) failure to conform to the essential standards of acceptable and prevailing practice); and

STATE OF VERMONT



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- h. 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Understandings

6. Respondent understands that the Nursing Board must review and accept the terms of the Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
7. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced her rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
8. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
9. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order. The Respondent's mental capacity is not diminished in any way at the time she signs this Stipulation.
10. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
11. Respondent voluntarily waives her right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
12. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

13. The Respondent agrees to **never seek reactivation or attempt to renew** her license, number 026.0048223, issued by the State of Vermont. The Respondent further agrees that the Secretary of State's Office of Professional Regulation, the licensing agency for Registered Nurses, will indicate on the list of Registered Nurses that her license was **voluntarily surrendered** as of the date of entry of this Order.
14. The Respondent agrees not to seek reactivation, reinstatement, or renewal of her Registered Nurse license and agrees not to apply for any nursing or nursing assistant license in the future. If the Respondent attempts to seek reactivation, reinstatement, or renewal of her Registered Nurse license, or attempts to apply for any other nursing or nursing assistant license, she agrees that her application will be automatically denied pursuant to this Stipulation and Consent Order.
15. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a). It is the intent of the

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Parties that this Stipulation and Consent Order should be construed as a contractual resolution to a disputed matter.

16. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

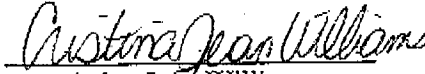
Dated: 12-3-10

STATE OF VERMONT
SECRETARY OF STATE

By: 
Betsy Ann Wrask
State Prosecuting Attorney

Dated: 12/2/2010

CRISTINA JEAN WILLIAMS
RESPONDENT

By: 
Cristina Jean Williams

APPROVED AND SO ORDERED:

Dated: 12-13-10

VERMONT BOARD OF NURSING

By: 
Chairperson

Date of Entry: 12/15/10
nu.williams,c.stip

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Prosecuting Attorney
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Montpelier, VT
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BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse	§	AGREED
License Number 677501	§	
issued to CRISTINA WILLIAMS	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CRISTINA WILLIAMS, Registered Nurse License Number 677501, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 10, 2009, 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 Associates Degree in Nursing from Trinity Valley Community College, Kaufman, Texas, on May 7, 2001. Respondent was licensed to practice professional nursing in the State of Texas on June 5, 2001.
5. Respondent's complete professional nursing employment history includes:

06/01-07/07

RN

Baylor University Medical Center
Dallas, Texas

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

07/07-10/07	Unknown	
10/07-02/08	RN	Dallas County Health and Human Services Dallas, Texas
02/08-04/08	Unknown	
04/08-05/08	RN	Medical City Hospital-Dallas Dallas, Texas
05/08-Present	Unknown	

6. At the time of the incident initial incident, Respondent was employed as a Registered Nurse with Baylor University Medical Center, Dallas, Texas, and had been in this position for approximately five (5) years and five (5) months.
7. On or about November 2006, while employed as a Registered Nurse with Baylor University Medical Center, Dallas, Texas, Respondent wrote a prescription for Norco for a patient, even though the patient's physician did not order Norco for the patient. Respondent's conduct was likely to deceive the pharmacy of Norco through the use of a unauthorized written prescription.
8. On or about November 2006, while employed as a Registered Nurse with Baylor University Medical Center, Dallas, Texas, Respondent lacked fitness to practice professional nursing in that she was falling asleep while on duty and her handwriting was illegible. Respondent's conduct 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.
9. On or about November 2006, while employed as a Registered Nurse with Baylor University Medical Center, Dallas, Texas, Respondent admitted that misappropriated Norco from the facility and patients thereof, was for her own personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. On or about November 2006, while employed as a Registered Nurse with Baylor University Medical Center, Dallas, Texas, Respondent engaged in the intemperate use of Norco, in that she produced a specimen for a drug screen which resulted positive for Hydrocodone and Acetaminophen. The use of Hydrocodone by a Registered Nurse, while subject to call or duty, could impair the nurse's 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.

11. On or about May 15, 2008, while employed as a Registered Nurse with Medical City Hospital- Dallas, Dallas, Texas, Respondent withdrew Hydrocodone from the Medication Dispensing System (Pyxis) for a patient, and falsely documented that the medications had been administered to the patient as follows:

Patient	Date and Time Pulled	Medication	Time on MAR	Nurse's Notes	Waste	Physicians Order
H001031188	05/15/08 0054	Norco 5/325 Tab	Not Documented	N/A	None	1 PRN Q 4 HRS
H001031188	05/15/08 2101	Norco 5/325 Tab	2100	N/A	None	1 PRN Q 4 HRS
H001031188	05/15/08 0440	Norco 5/325 Tab	Not Documented until 0608	N/A	None	1 PRN Q 4 HRS

Respondent's conduct above was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in adverse patient care.

12. On or about May 15, 2008, while employed as a Registered Nurse with Medical City Hospital- Dallas, Dallas, Texas, Respondent misappropriated Hydrocodone from the facility and patients thereof. Additionally, you admitted to taking the patient's medications for your own personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
13. On or about May 15, 2008, while employed as a Registered Nurse with Medical City Hospital- Dallas, Dallas, Texas, Respondent engaged in the intemperate use of Hydrocodone in that Respondent produce a specimen for a drug screen which resulted positive for Hydrocodone. The use of Hydrocodone by a Registered Nurse, while subject to call or duty, could impair the nurse's 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.
14. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Article 4525a, TEX. REV. STAT. ANN.

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.
16. Respondent's conduct described in Findings of Fact Number Six (6) through Thirteen (13) resulted from Respondent's impairment by dependency on chemicals.
17. 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)(12)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE § 217.11(1)(D) and 22 TEX. ADMIN. CODE § 217.12(1)(A)&(C),(4),(5),(6)(A),(G)&(H),(8)&(10)(A),(B),(D)&(E).
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 667501, heretofore issued to CRISTINA WILLIAMS, 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 CRISTINA JEAN WILLIAMS, 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) 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 multistate licensure 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 revocation of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

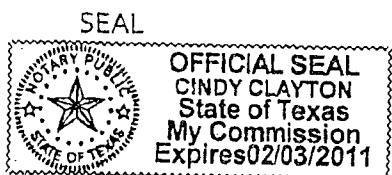
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer 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 21 day of May, 2009.

Cristina Williams

CRISTINA WILLIAMS, Respondent

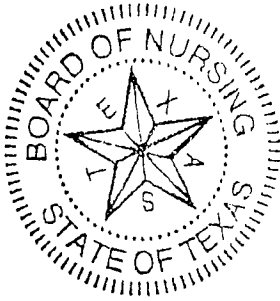
Sworn to and subscribed before me this 21 day of May, 2009.



Cindy Clayton

Notary Public in and for the State of Texas

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 21st day of May, 2009, by CRISTINA WILLIAMS, Registered Nurse License Number 667501, and said Order is final.



Entered and effective this 3rd day of June, 2009.

Katherine A. Thomas

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

I certify this to be a true copy of the
records on file with the Texas Board
of Nursing.

Date:

4-30-10

Signed:

Alasdair

