



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

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 588391
ISSUED TO
KATHARINA INGA HOLCOMB

§
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§
§
§

BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE
TEXAS BOARD OF NURSING

NUNC PRO TUNC ORDER OF THE BOARD

TO: Katharina Inga Holcomb
15335 Park Row #2506
Houston, TX 77084

On June 8, 2010, during open meeting in Austin, Texas, an Order of the Board was entered for Katharina Inga Holcomb. However, the Order contained the incorrect effective date. 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 Order of the Board for Katharina Inga Holcomb that is dated June 9, 2010, and submits and enters the corrected Order of the Board, which contains the correct effective date. No other changes to the Order have been made. Ms. Holcomb received due process regarding her license; therefore, her rights have not been prejudiced.

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

Order effective June 8, 2010.

Entered this 23rd of April, 2012.

TEXAS BOARD OF NURSING

BY:

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

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 588391	§	COMMITTEE
ISSUED TO	§	OF THE TEXAS
KATHARINA INGA HOLCOMB	§	BOARD OF NURSING

ORDER OF THE BOARD

TO: Katharina Inga Holcomb
15335 Park Row #2506
Houston, Texas 77084

During open meeting held in Austin, Texas, on June 8, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 588391, previously issued to KATHARINA INGA HOLCOMB, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 8th day of June, 2010.



TEXAS BOARD OF NURSING

BY:

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

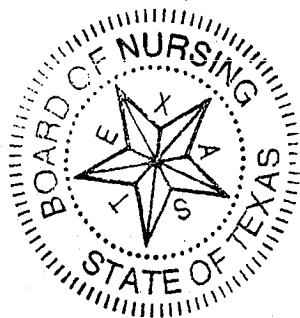
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of June, 2010, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Katharina Inga Holcomb
15335 Park Row #2506
Houston, Texas 77084

BY: *Katherine A. Thomas*
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 588391	§	COMMITTEE
ISSUED TO	§	OF THE TEXAS
KATHARINA INGA HOLCOMB	§	BOARD OF NURSING

ORDER OF THE BOARD

TO: Katharina Inga Holcomb
15335 Park Row #2506
Houston, Texas 77084

During open meeting held in Austin, Texas, on June 8, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

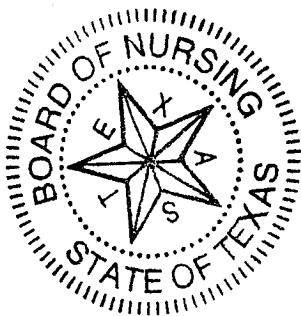
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 588391, previously issued to KATHARINA INGA HOLCOMB, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.


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

Entered this 9th day of June, 2010.

TEXAS BOARD OF NURSING



BY:


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

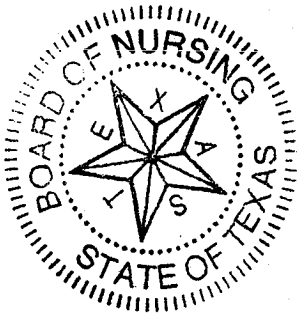
Re: Permanent Certificate Number 588391
Issued to Katharina Inga Holcomb
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of June, 2010, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Katharina Inga Holcomb
15335 Park Row #2506
Houston, Texas 77084

BY: *Katherine A. Thomas*
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



In the Matter of Permanent License
Number 588391, Issued to
KATHARINA INGA HOLCOMB, Respondent

§ BEFORE THE TEXAS
§
§ BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KATHARINA INGA HOLCOMB, is a Registered Nurse holding license number 588391, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

From on or about March 26, 2008 to April 19, 2009, while employed as a Registered Nurse with Spring Branch Medical Center, Houston, Texas, and at Memorial Hermann Northwest, Houston, Texas, Respondent demonstrated a lack of fitness to safely practice professional nursing, in that she demonstrated behavior issues such as chronic absenteeism, tardiness, and erratic behavior described as follows:

On or about March 26, 2008, while employed as a Registered Nurse with Spring Branch Medical Center, Houston, Texas, Respondent displayed angry and unprofessional behavior in front of a patient when her request to leave the facility early was denied.

On or about October 31, 2008, while employed as a Registered Nurse with Spring Branch Medical Center, Houston, Texas, Respondent repeatedly failed to respond to requests to work while on call; failed to show up for work when scheduled; arrived for work up to four (4) hours late, and as a result, was asked to submit to a urine drug screen, which she refused to take, stating to the Unit Manager that a drug screen would indicate positive results for Marijuana.

On or about April 19, 2009, while employed as a Registered Nurse with Memorial Hermann Northwest, Houston, Texas, Respondent, who had just left the facility at the close of her shift, refused to submit to a urinary drug screen (UDS) test after a substance identified as "crystal meth" was found in the secured employee restroom of the facility. All other employees who had access to said restroom submitted to the UDS with negative results. When the Unit Manager requested Respondent's participation in the UDS via telephone, Respondent sounded impaired with extremely slurred speech, refused the drug screen test, and reasoned that she could not submit to a UDS as she had been through TPAPN in 2001 and could not do this again. Respondent failed to return to work and was terminated.

Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(A),(B),(E)&(5).

CHARGE II.

On or about October 31, 2008, while employed as a Registered Nurse with Spring Branch Medical Center, Houston, Texas, Respondent engaged in the intemperate use of Marijuana in that Respondent refused to take a drug screen test but stated to the Unit Manager that a drug screen would indicate positive results for Marijuana. Possession of Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Marijuana 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(4)&(5), (10)(A)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.state.tx.us.

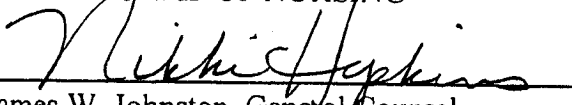
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NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

Filed this 19th day of March, 2010.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel

State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel

State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel

State Bar No. 50511847

Nikki Renee Hopkins, Assistant General Counsel

State Bar No. 24052269

John F. Legris, Assistant General Counsel

State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460

Austin, Texas 78701

P: (512) 305-6824

F: (512) 305-8101 or (512)305-7401