BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse License Number 703590 §
and Vocational Nurse License Number 181618 §
issued to ANAND DRAPER SETHI §

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

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 703590 and Vocational Nurse License Number 181618, issued to ANAND DRAPER SETHI, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional and vocational nursing in the State of Texas.

2. Respondent waived informal proceedings, notice and hearing.

3. Respondent received a Certificate in Vocational Nursing from North Central Texas College, Gainesville, Texas, on August 10, 2001. Respondent was licensed to practice vocational nursing in the State of Texas on September 25, 2001. Respondent received an Associate Degree in Nursing from Excelsior College, Albany, New York, on November 26, 2003. Respondent was licensed to practice professional nursing in the State of Texas on February 26, 2004.

4. Respondent's nursing employment history includes:

10/01 - 08/02	Unknown

Respondent's nursing employment history (continued):

09/02 - 08/05	LVN/RN	Medical Center at Lancaster Lancaster, TX
11/05 - 12/07	RN	Fresenius Medical Care Dallas, TX
2008	RN	Foundation Medical Staffing
01/08 - 03/08	RN	Children's Medical Center Dallas, TX
04/08 - Present	Unknown	

5. On or about May 27, 2008, the Texas Board of Nursing notified Respondent of the following allegations:

   On or about March 12, 2008 while employed with Children's Medical Center, Dallas, Texas, Respondent:

   - Withdrew Dilaudid from the Medication Dispensing System (Omnicell) for Patient Medical Record Number 494521 in excess frequency and/or dosage of the physician's order;
   - Withdrew Dilaudid from the Medication Dispensing System (Omnicell) for Patient Medical Record Number 494521, but failed to completely and accurately document the administration of the medication in the patients' Medication Administration Records (MARs), Nurses Notes, or both;
   - Withdrew Dilaudid from the Medication Dispensing System (Omnicell) for Patient Medical Record Number 494521, but failed to follow the policy and procedure for the wastage of the medication, and;
   - Misappropriated Dilaudid belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation.

6. On or about August 2, 2010, the Texas Board of Nursing notified Respondent of the following allegations:

   On or about February 3, 2010, Respondent's privilege to practice professional nursing in the State of Colorado was Surrendered/Relinquished, based on the following Findings:

   - On July 3, 2009, Respondent was practicing as a professional nurse on a privilege in Colorado with DaVita, Inc., providing dialysis services to a patient in the intensive care unit at The Medical Center of Aurora;

- On July 3, 2009, Respondent removed Fentanyl from another patient's patient-controlled analgesia pump for his own personal use for chronic back pain issues. Respondent was not assigned to the patient in question; and
- On September 11, 2009, Respondent pled guilty to DUI in Case No. 2009T002769 in County Court, Boulder County, Colorado. He was sentenced to eighteen months of probation, community service, and substance abuse evaluation and treatment.

7. On January 4, 2011, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated November 12, 2010, is attached and incorporated herein by reference as part of this Order.

8. 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.

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)(8),(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C)&(D)(iv), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(6)(G)&(10)(C)&(11)(B).

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

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

6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 703590 and Vocational Nurse License Number 181618, heretofore issued to ANAND DRAPER SETHI, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional or vocational nursing, use the title of Registered Nurse or Vocational Nurse or the abbreviation RN or LVN or wear any insignia identifying himself as a Registered Nurse or Licensed Vocational Nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a Registered Nurse or Vocational Nurse during the period in which the licenses are surrendered.

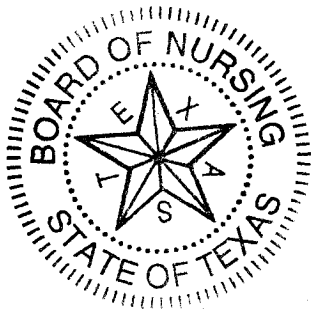
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.

3. 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.

Effective this 11 day of January, 2011.

TEXAS BOARD OF NURSING



By: _____

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

ANAND DRAPER SETHI
635 Madison CT
Duncanville, TX 75137
Texas RN License #703590 and Texas LVN License #181618

Voluntary Surrender Statement

October 12, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my licenses to practice in Texas. I consent to the entry of an Order which outlines requirements for reinstatement of my licenses. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature _____

Date 11/12/2010

Texas Nursing License Numbers 703590

The State of Texas

Before me, the undersigned authority, on this date personally appeared ANAND DRAPER SETHI who, being duly sworn by me, stated that he executed the above for the purpose therein contained and that he understood same.

Sworn to before me the 12th day of November, 2010.

SEAL

Notary Public in and for the State of Colorado

DESIREE A. BAESSLER
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires Dec. 07, 2011