



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number § AGREED
652289 issued to TARA C. HILLIARD. § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of TARA C. HILLIARD, Registered Nurse License Number 652289, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on March 13, 2008, 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 conference, 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 a Baccalaureate Degree in Nursing from Texas Tech University, Lubbock, Texas on May 1, 1998, and received a Certificate from the Acute Care Nurse Practitioner Program of Texas Tech University, Lubbock, Texas, on December 18, 2004. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 1998; became Board recognized as an Acute Care Nurse Practitioner in the State of Texas on January 18, 2005; and became Board recognized with Prescriptive Authority as an Acute Care Nurse Practitioner in the State of Texas on February 28, 2005.
5. Respondent's nursing employment history includes:

6/1998 - 1/2005	Unknown
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Respondent's nursing employment history continued:

2/2005 - Present	Acute Care Nurse Practitioner	Texas Tech University Health Sciences Center, Lubbock, Texas
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6. At the time of the incident in Finding of Fact Number Six (6), Respondent was employed as an Acute Care Nurse Practitioner with Texas Tech University Health Sciences Center, Lubbock, Texas, assigned to The Texas Department of Criminal Justice, Montford Unit, Lubbock, Texas, and had been in this position for one (1) year and seven (7) months.
7. On or about September 26, 2006, through February 16, 2007, while employed as an Acute Care Nurse Practitioner with Texas Tech University Health Sciences Center, Lubbock, Texas, and assigned to The Texas Department of Criminal Justice, Montford Unit, Lubbock, Texas, Respondent exceeded her authorized scope of practice in that she inappropriately passed telephonic prescriptions for her friends, family and co-workers, who were not established acute care patients of her practice site, without authorization from her delegating physician, as required, and without documenting assessments and/or evaluations of the individuals in medical records. Respondent's conduct resulted in incomplete medical records, was likely to injure patients from medications taken without the benefit of a physician's expertise, and was in violation of Board Position Statement 15.22 regarding "Advanced Practice Nurses Providing Medical Aspects of Care for Themselves or Others with whom there is a Close Personal Relationship."
8. In response to the incidents in Finding of Fact Number Seven (7), Respondent states that she telephoned in prescriptions for friends and family to Lubbock pharmacies and always gave her name, title and prescription ID and the name of Dr. Williams as her delegating physician. Respondent states she had clear understanding she was acting with her delegating physician's consent, and claims that physicians and nurse practitioners at the Montford Unit commonly and routinely prescribed for friends and family, and this practice was routinely discussed among the medical professionals there.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §§ 217.11(1)(D)&(4)(B), 217.12(1)(A) and 222.4(a)(1).
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 652289, heretofore issued to TARA C. HILLIARD, including revocation of Respondent's license to practice professional 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 REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *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 professional 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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to TARA C. HILLIARD to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) 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) contact 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 Chemical Dependency, 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/disciplinary action>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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/disciplinary action>.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of one thousand five hundred dollars (\$1500). RESPONDENT SHALL pay this fine within ninety (90) 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, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional 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. 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 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 revocation of my license to practice professional nursing the State of Texas, as a consequence of my noncompliance.

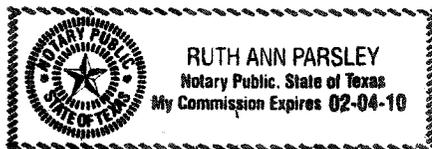
Signed this 7th day of April, 2008.

Tara C. Hilliard
TARA C. HILLIARD, Respondent

Sworn to and subscribed before me this 7th day of April, 2008.

SEAL

Ruth Ann Parsley
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 ratify and adopt the Agreed Order that was signed on the 7th day of April , 2008, by TARA C. HILLIARD, Registered Nurse License Number 652289, and said Order is final.

Effective this 15th day of April, 2008.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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