



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.
Patricia R. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License § AGREED
Number 441025 issued to PEGGY ANN JOHNSON § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board accepted the voluntary surrender of Registered Nurse License Number 441025, issued to PEGGY ANN JOHNSON, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived informal conference and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived 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 Diploma in Nursing from Grace Hospital School of Nursing, Detroit, Michigan, in 1968 and an Associate Degree in Nursing from Grace Hospital School of Nursing, Detroit, Michigan in 1971. Respondent received a Certificate in Nurse Anesthesia from Grace Hospital School of Nursing, Detroit, Michigan, in 1972. Respondent originally became licensed in the State of Texas in November 1977 and was recognized as a Certified Registered Nurse Anesthetist in the State of Texas in August 1986.

5. Respondent's professional nursing employment history includes:

| | |
|-------------|--|
| 1971 - 1972 | Unknown |
| 1973 - 1975 | Certified Nurse Anesthetist (CRNA) (Full time) Grace Hospital Detroit, Michigan |
| 1973 - 1975 | Staff CRNA (Part Time) North Detroit General Hospital Detroit, Michigan |
| 1973 - 1975 | Staff CRNA (Part Time) Southwest Detroit General Hospital Detroit, Michigan |
| 1973 - 1975 | Staff CRNA (Part Time) St. Mary's Hospital Livonia Livonia, Michigan |
| 1975 - 1979 | Director/Anesthesia and Respiratory Care Maverick County Hospital District Eagle Pass, Texas |
| 1979 - 1983 | Staff CRNA (Full Time) Memorial Medical Center Corpus Christi, Texas |
| 1983 - 1987 | Staff CRNA (Full Time) Presbyterian Hospital of Dallas Dallas, Texas |
| 1987 - 1988 | Director Texas Department of Criminal Justice Conroe, Texas |
| 1988 - 1995 | Staff CRNA (Full Time) Medical Center Hospital Conroe, Texas |
| 1995 - 1999 | Staff CRNA (Full Time) Huntsville Anesthesia Associates Huntsville, Texas |
| 1995 - 1999 | CRNA Locum Tenens |

Respondent's professional nursing employment history continued:

| | |
|------------------|--|
| 05/99 - 4/03 | Staff CRNA Green/Byers Anesthesia Associates Sweetwater, Texas |
| 4/03 - Unknown | Staff CRNA Wise County Anesthesia Associates Decatur, Texas |
| 6/5/07 - 6/19/07 | CRNA Locum Tenens Odyssey Staffing, Lewisville, Texas & on assignment at Grace Hospital Morganton, North Carolina |
| 7/07 - present | Unknown |

6. On July 2, 2007, Respondent's Multi State Compact Privilege, associated with her license to practice professional nursing in the State of Texas was revoked by the North Carolina Board of Nursing. A copy of the July 2, 2007, North Carolina Board of Nursing Order to Revoke Multi State Licensure Privilege is incorporated, by reference as part of this Order.
7. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.

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), Texas Occupations Code.
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Registered License Number 441025, heretofore issued to PEGGY ANN JOHNSON, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.

7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered License Number 441025, heretofore issued to PEGGY ANN JOHNSON, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing.

In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to PEGGY ANN JOHNSON, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional nursing, use the title registered or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. 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.
4. 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 multistate privilege, 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 have reviewed this Order. I neither admit nor deny the violation 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 23 day of April, 2008.

Peggy Ann Johnson
PEGGY ANN JOHNSON, Respondent

Sworn to and subscribed before me this 23 day of April, 2008.

SEAL

Penny Sprayberry
Notary Public in and for the State of Texas



Approved as to form and substance.

Jon E. Porter
Jon E. Porter, Attorney for Respondent

Signed this 1 day of May, 2008

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 441025, previously issued to PEGGY ANN JOHNSON.

Effective this 8th day of May, 2008.



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

Beverly B. Foster, PhD, RN
Chair
Alexis B. Welch, RN, Ed.D
Vice-Chair
Mary P. Johnson, RN, MSN, FAAN
Executive Director

NC BOARD OF NURSING

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October 30, 2007

Cynthia Smith
Board of Nurse Examiners
333 Guadalupe, Suite 3-460
Austin, TX 78701

RE: Peggy Ann Johnson, RN, Texas License #441025

Dear Ms. Smith:

Per your request, enclosed are true copies of the disciplinary action taken against Ms. Johnson's RN license. This information includes:

- 1) Order to Revoke Multi-State Licensure Privilege dated 7/2/07

Also, Ms. Johnson's home address on file is 143 Reatta Drive, Decatur, TX 76234.

As custodian of the records, I certify that this information is true and accurate. If I can be of further assistance, please do not hesitate to call or write.

Sincerely,

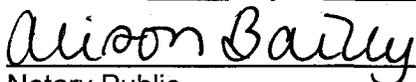


Vicki Sferruzzo
Investigation/Monitoring Coordinator
919-782-3211, ext. 240
Email: Vicki@ncbon.com

/vs

State of North Carolina
County of Wake

Sworn to and subscribed before me
This is the 30 day of October 2007.



Notary Public
My commission expires 7/27/2009

SEAL



BEFORE THE NORTH CAROLINA BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

In the matter of)

Peggy Ann Johnson, RN)

Certificate # 441025)

ORDER TO REVOKE MULTI-STATE
LICENSURE PRIVILEGE

Pursuant to the authority vested by Article 9A, Chapter 90 of the General Statutes of North Carolina and Article 3A of Chapter 150B-38 of the General Statutes of North Carolina, the North Carolina Board of Nursing (hereafter referred to as the Board) revokes the Registered Nurse privilege to practice as granted by the Nurse Licensure Compact of Peggy Ann Johnson for violation of the North Carolina Nursing Practice Act.

- 1) Peggy Ann Johnson is the holder of Registered Nurse Certificate # 441025 which was issued by the State of Texas. Her license has an expiration date of 4/30/2008.
- 2) Ms. Johnson was assigned to work at the Grace Hospital, a facility within the Blue Ridge Health Care System in Morganton, North Carolina, working on her privilege to practice as granted through the Nurse Licensure Compact. By agreeing to work on her privilege to practice as granted through the Nurse Licensure Compact, the licensee agreed to comply with all the laws, rules and regulations of practice promulgated by the Boards in the party states in which she choose to practice.
- 3) Ms. Johnson began work as a Locum Tenens at the Grace Hospital, assigned through Odyssey staffing from Lewisville, Texas. Ms. Johnson functioned in the role of a Certified Registered Nurse Anesthetist (CRNA). Ms. Johnson was assigned to the facility from June 5, 2007 through June 19, 2007.
- 4) On June 19, 2007 Ms. Johnson was scheduled to work, but arrived late to the OR. The staff was waiting for her in the OR when she was found waiting outside the OR room of the wrong patient.

She was taken to OR #3, the room to which she was assigned, and it was noted as she began induction, she was observed to be lethargic, confused and she was unable to adequately maintain the patient's airway.

The OR circulating nurse called the circulating anesthesiologist supervising Ms. Johnson and told him something was wrong with Ms. Johnson. When the anesthesiologist arrived in the room, he observed some of the patient vital signs to be abnormal and the blood pressure was not being monitored by Ms. Johnson. The patient's O2 saturation level had dropped to 58%. The anesthesiologist noted Ms. Johnson appeared to have lost her "motor/mental coordination" and she was unable to comply with even simple tasks.

The anesthesiologist had Ms. Johnson removed from the OR and instructed staff to accompany her to the Emergency Department. It was noted in route to the Emergency Department that Ms. Johnson had difficulty completing sentences and answering questions appropriately. She was also noted to stumble while

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walking. In the Emergency Room she was given a CT scan, but when asked to provide a urine sample for a drug screen, she refused. After being examined by the Emergency Department physician, Ms. Johnson signed herself out against medical advice (AMA).

Ms. Johnson left the hospital and returned to the hotel room where she was staying at the Hampton Inn. Some time later that morning, the hospital received a call from the Hampton Inn stating Ms. Johnson was acting inappropriately. She was described as walking the halls in her underwear, talking to people who were not there, and swimming in the pool in her underwear. Ms. Johnson was brought back to the hospital by the local EMS and was noted to be displaying inappropriate behavior, described as "slurring her speech, talking to people who were not present, squinting her eyes to see where she was and nodding off and on when being asked questions." Ms. Johnson "appeared confused as to where she was and what was happening around her."

On June 19, 2007, while assigned to deliver anesthesia services for patients at the Grace Hospital in Morganton, North Carolina, Ms. Johnson was found to be impaired on duty.

- 5) The investigation determined the licensee has violated G.S. 90-171.37 (3) (4) (5) (6) (7) and (8) and Regulation 21 N.C.A.C. 36.0217(c) (21).
- 6) Therefore, the privilege to practice as granted through the Nurse Licensure Compact for Peggy Ann Johnson is hereby **REVOKED**, and the licensee must immediately **CEASE AND DESIST** from the practice of nursing in North Carolina.
- 7) In accordance with Chapter 150B of the General Statutes, the licensee is entitled to a "Show Cause" Hearing before a majority of the members of the Board to determine why the Board should not take further action because of the licensee's failure to comply with the probationary conditions, including imposing further discipline.
- 8) The licensee is entitled to be represented by counsel and to present evidence and witnesses/testimony on the licensee's behalf.
- 9) Pursuant to North Carolina General Statute Section 150B-40(d), the licensee may not communicate, directly or indirectly, with any individual member of the Board about this matter. If the licensee or legal representative has questions, they should contact Donna H. Mooney, RN, MBA, Manager for Discipline Proceedings.

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In the matter of)

Peggy Ann Johnson, RN)

Certificate # 441025)

**ORDER TO REVOKE MULTI-STATE
LICENSURE PRIVILEGE**

10) If the licensee is disputing the fact that the violations as alleged did occur, the licensee must file a written objection with the Board within ten (10) working days of the date of the notice of violations to Peggy Ann Johnson. The notice must contain with specificity the violations being disputed.

11) When the licensee has properly filed notice of objections with the Board, then the licensee will be notified of the exact date and time for the "Show Cause" Hearing. The Hearing will be held at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties.

12) Failure to return the written objection within the designated time period will be construed to mean the licensee is not contesting the matter and all further proceedings to which the licensee is otherwise entitled by law are hereby waived.

The license will then remain revoked until the licensee requests in writing the opportunity to appear before the Licensure Committee to petition for issuance of a license to practice in North Carolina.

13) This ORDER to REVOKE will be placed in the licensee's file and becomes a public record pursuant to the North Carolina Public Record Statute G.S. Chapter 132 and Board policy.

14) By not contesting the violations contained in this ORDER, the licensee is waiving the rights to a "Show Cause" Hearing, to challenge the validity of this ORDER and to any further proceedings to which the licensee may be entitled by law.

15) By contesting the violations contained in this ORDER, the licensee is requesting a "Show Cause" Hearing to be scheduled before a majority of the members of the Board.

The licensee understands that a written objection with the specific violations/charges being disputed must be received within 10 business days of the date of this notice.

The subject of the "Show Cause" Hearing shall be limited to the specific reasons for which the probationary license was suspended/revoked.

When the licensee has properly filed notice of objection with the Board, then the Licensee will be provided a Hearing before the Board at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties.

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LICENSURE PRIVILEGE

- 16) In accordance with G.S. 90-171.27 (d) and Board policy derived therefrom, a fee may be assessed for disciplinary matters. A "Show Cause" Hearing is considered a discipline matter.

**FAILURE TO RETURN THE ATTACHED PAGE WITHIN 10 BUSINESS DAYS
WILL RESULT IN THE LICENSEE WAIVING ALL RIGHTS TO CHALLENGE
THE VALIDITY OF THIS ORDER OR TO ANY OTHER PROCEEDINGS TO
WHICH THE LICENSEE MAY OTHERWISE BE ENTITLED BY LAW.**

This the 2nd day of July, 2007



Mary P. Johnson, RN, MSN, FAAN
Executive Director
North Carolina Board of Nursing