

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 148815
ISSUED TO
KIMBERLY D. CRAWFORD

§
§
§
§
§
§
§
§

BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE 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.
Patricia P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Kimberly D. Crawford
1077 CR L
Panhandle, TX 79068

During open meeting held in Austin, Texas, on Wednesday, November 12, 2008, 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 vocational 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 148815, previously issued to KIMBERLY D. CRAWFORD, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 148815, previously issued to KIMBERLY D. CRAWFORD, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 12th day of November, 2008.

TEXAS BOARD OF NURSING


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

Re: Permanent Certificate Number 148815
Issued to KIMBERLY D. CRAWFORD
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14 day of November, 2008 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):

Kimberly D. Crawford
1077 CR L
Panhandle, TX 79068

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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 148815, Issued to §
KIMBERLY D. CRAWFORD, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KIMBERLY D. CRAWFORD, is a Vocational Nurse holding license number 148815, 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.

On or about August 28, 2002, Respondent entered a plea of Guilty and was subsequently Convicted of ISSUANCE OF A BAD CHECK - Count II (a Class C Misdemeanor offense committed on May 16, 2002), in the County Court at Law in and for Randall County, Carryton, Texas, under Cause No. 2002-1109-L. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN CODE §239.11(29)(A)(iv).

BALANCE OF PAGE LEFT BLANK INTENTIONALLY

CONTINUED ON NEXT PAGE

CHARGE II.

On or about August 19, 2004, Respondent submitted her Texas Online Renewal Document to the Board of Nurse Examiners for the State of Texas in which Respondent provided false, deceptive, and/or misleading information in that she answered "No" to the question:

Have you been convicted, adjudged guilty by court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's, PT's must be reported and are not considered minor traffic violations. (One time minor in possession [MIP] or minor in consumption [MIC] do not need to be disclosed, therefore, you may answer "No". If you have two or more MIP's or MIC's, you must answer "Yes").

On or about August 28, 2002, Respondent was convicted of ISSUANCE OF A BAD CHECK - Count II (a Class C Misdemeanor offense committed on May 16, 2002), in the County Court at Law in and for Randall County, Carryton, Texas, under Cause No. 2002-1109-L.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN CODE §217.12(22)(effective September 1, 1999, through September 28, 2004).

CHARGE III.

On or about June 7, 2005, Respondent entered a plea of Guilty and was subsequently Convicted of ISSUANCE OF A BAD CHECK - Count II (a Class C Misdemeanor offense committed on September 29, 2004), in the County Court at Law No. 1 in and for Randall County, Carryton, Texas, under Cause No. 2005-0020-L. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

BALANCE OF PAGE LEFT BLANK INTENTIONALLY

CONTINUED ON NEXT PAGE

CHARGE IV.

On or about January 8, 2006, through January 10, 2006, while employed as a Licensed Vocational Nurse with Triumph Hospital, Amarillo, Texas, Respondent withdrew controlled substances from the medication dispensing system for patients, but failed to document, or accurately document the administration of the medications in the patients' Medication Administration Record or Nurses, as follows:

Date	Patient ID	Physician's Order	Medication Dispensing System Record	Medication Administration Record	Nurse's Notes
01/08/06	10006516 *	Morphine 4mg IV q 4hrs prn pain	Morphine 10mg IV @ 10:49	Not documented as administered	Not documented as administered
01/08/06	10006507	Demerol 25mg 1m/IV q 6 hrs prn severe pain	Demerol 25mg IV @ 19:02	Not documented as administered	Not documented as administered
01/08/06	10006510 *	Demerol 12mg IV q 4 hrs prn	Demerol 50mg IV @ 19:19	Not documented as administered	Not documented as administered
01/08/06	10006518 *	Morphine Sulfate 4mg IV q 3 hrs prn pain	Morphine 10mg IV @ 22:48	Not documented as administered	Not documented as administered
01/09/06	10006516 *	Morphine 4mg IV q 4hrs prn pain	Morphine 10mg IV @ 00:21	Not documented as administered	Not documented as administered
01/09/06	10006518 *	Morphine Sulfate 4mg IV q 3 hrs prn pain	Morphine 10mg IV @ 03:08	Not documented as administered	Not documented as administered
01/09/06	10006510 *	Demerol 12mg IV q 4 hrs prn	Demerol 50mg @ 05:40	Not documented as administered	Not documented as administered
01/09/06	10006507	Demerol 25mg 1m/IV q 6 hrs prn severe pain	Demerol 25mg IV @ 05:41	Not documented as administered	Not documented as administered
01/09/06	10006551	Morphine 2mg IV q 2 hrs prn	Morphine 10mg IV @ 21:53	Documented as administered "6" @ 19:54	Pain med and Ativan given per MAR @ 19:50
01/10/06	10006507	Demerol 25mg 1m/IV q 6 hrs prn severe pain	Demerol 25mg IV @ 01:44	Not documented as administered	Not documented as administered
01/10/06	10006510 *	Demerol 12mg IV q 6 hrs prn	Denerol 5mg IV @ 03:04	Not documented as administered	Not documented as administered
01/10/06	10006551	Morphine 2mg IV q 2 hrs prn	Morphine 10mg IV @ 05:35	Documented as administered at 03:15 - wasted 8 mg	Not documented as administered
01/10/06	10006551	Morphine 2mg IV q 2 hrs prn	Morphine 2mg IV @ 05:35	Documented as administered - "6" wasted 8mg	Not documented as administered
01/10/06	10006507	Dilaudid 4mg po q 6 hrs prn pain	Dilaudid 2 mg tab 2mg tab @ 05:48	Not documented as administered	Not documented as administered

* Patient was not assigned to nurse.

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

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(D)(iv), and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(6)(H)&(11)(B).

CHARGE V.

On or about January 8, 2006, through January 10, 2006, while employed as a Licensed Vocational Nurse with Triumph Hospital, Amarillo, Texas, Respondent withdrew controlled substances from the medication dispensing machine for patients, but failed to follow the facility's policy and procedure for wastage of the unused portions of the controlled substances, as follows:

Date	Patient ID	Physician's Order	Medication Dispensing System Record	Medication Administration Record	Nurse's Notes	Wastage
01/08/06	10006516 *	Morphine 4mg IV q 4hrs prn pain	Morphine 10mg IV @ 10:49	Not documented as administered	Not documented as administered	Not documented
01/08/06	10006507	Demerol 25mg 1m/IV q 6 hrs prn severe pain	Demerol 25mg IV @ 19:02	Not documented as administered	Not documented as administered	Not documented
01/08/06	10006510 *	Demerol 12mg IV q 4 hrs prn	Demerol 50mg IV @ 19:19	Not documented as administered	Not documented as administered	Not documented
01/08/06	10006518 *	Morphine Sulfate 4mg IV q 3 hrs prn pain	Morphine 10mg IV @ 22:48	Not documented as administered	Not documented as administered	Not documented
01/09/06	10006516 *	Morphine 4mg IV q 4hrs prn pain	Morphine 10mg IV @ 00:21	Not documented as administered	Not documented as administered	Not documented
01/09/06	10006518 *	Morphine Sulfate 4mg IV q 3 hrs prn pain	Morphine 10mg IV @ 03:08	Not documented as administered	Not documented as administered	Not documented
01/09/06	10006510 *	Demerol 12mg IV q 4 hrs prn	Demerol 50mg @ 05:40	Not documented as administered	Not documented as administered	Not documented
01/09/06	10006507	Demerol 25mg 1m/IV q 6 hrs prn severe pain	Demerol 25mg IV @ 05:41	Not documented as administered	Not documented as administered	Not documented
01/09/06	10006551	Morphine 2mg IV q 2 hrs prn	Morphine 10mg IV @ 21:53	Documented as administered "6" @ 19:54	Pain med and Ativan given per MAR @ 19:50	Not documented
01/10/06	10006507	Demerol 25mg 1m/IV q 6 hrs prn severe pain	Demerol 25mg IV @ 01:44	Not documented as administered	Not documented as administered	Not documented
01/10/06	10006510 *	Demerol 12mg IV q 6 hrs prn	Denerol 5mg IV @ 03:04	Not documented as administered	Not documented as administered	Not documented
01/10/06	10006551	Morphine 2mg IV q 2 hrs prn	Morphine 10mg IV @ 05:35	Documented as administered at 03:15 - wasted 8 mg	Not documented as administered	Not documented
01/10/06	10006551	Morphine 2mg IV q 2 hrs prn	Morphine 2mg IV @ 05:35	Documented as administered - "6" wasted 8mg	Not documented as administered	Not documented
01/10/06	10006507	Dilaudid 4mg po q 6 hrs prn pain	Dilaudid 2 mg tab 2mg tab @ 05:48	Not documented as administered	Not documented as administered	Not documented

* Patient was not assigned to nurse.

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) Texas Occupations Code,, and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(10)(C)&(11)(B).

CHARGE VI.

On or about May 15, 2006, through May 16, 2006, while employed as a Licensed Vocational Nurse with Pampa Regional Medical Center, Pampa, Texas, Respondent withdrew controlled substances from the medication dispensing system for patients without valid physicians' orders, as follows:

Date	Patient ID	Physician's Order	Medication Dispensing System Record	Medication Administration Record	Nurse's Notes
05/15/06	30211	None	Meperidine HCL 50mg/ 1ml SYR @ 19:02	Not documented as administered	Unavailable
05/15/06	23288 *1	None	Meperidine HCL 75mg/ 1ml SYR @ 19:40	Not documented as administered	Unavailable
05/15/06	W.Y. *2	None	Meperidine HCL 50mg/ 1ml SYR @ 20:45	Not documented as administered	Unavailable
05/15/06	21302	None	Meperidine HCL 50mg/ 1ml SYR @ 21:36	Not documented as administered	Unavailable

*1. Demerol 50mg IM given with Phenergan 12.5mg q 4 hrs prn pain" written on Nursing Cardex on May 15, 2006. Telephone Order for Demerol 50mg IM give with Phenergan 12.5mg q 4 hrs prn pain, written on May 16, 2006, at 03:00.

*2. There is no record of Patient WY on May 15, 2006, at this facility.

Respondent's conduct was likely to injure the patient in that the administration of Meperidine without a valid physician's order could result in the patient suffering from adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(4).

BALANCE OF PAGE LEFT BLANK INTENTIONALLY

CONTINUED ON NEXT PAGE

CHARGE VII.

On or about May 15, 2006, through May 16, 2006, while employed as a Licensed Vocational Nurse with Pampa Regional Medical Center, Pampa, Texas, Respondent withdrew controlled substances from the medication dispensing system for patients, but failed to document, or accurately document the administration of the medications in the patients' Medication Administration Record or Nurses Notes, as follows:

Date	Patient ID	Physician's Order	Medication Dispensing System Record	Medication Administration Record	Nurse's Notes	Wastage
05/15/06	30211	None	Meperidine HCL 50mg/ 1ml SYR @ 19:02	Not documented as administered	Not provided	Not documented
05/15/06	23288 *1	None	Meperidine HCL 75mg/ 1ml SYR @ 19:40	Not documented as administered	Not provided	Not documented
05/15/06	W.Y. *2	None	Meperidine HCL 50mg/ 1ml SYR @ 20:45	Not documented as administered	Not provided	Not documented
05/15/06	21302	None	Meperidine HCL 50mg/ 1ml SYR @ 21:36	Not documented as administered	Not provided	Not documented

*1. Demerol 50mg IM given with Phenergan 12.5mg q 4 hrs prn pain" written on Nursing Cardex on May 15, 2006. Telephone Order for Demerol 50mg IM give with Phenergan 12.5mg q 4 hrs prn pain, written on May 16, 2006, at 03:00.

*2. There is no record of Patient WY on May 15, 2006, at this facility.

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

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(D)(iv), and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(6)(H)&(11)(B).

CHARGE VIII.

On or about May 15, 2006, through May 16, 2006, while employed as a Licensed Vocational Nurse with Pampa Regional Medical Center, Pampa, Texas, Respondent withdrew controlled substances from the medication dispensing machine for patients, but failed to follow the facility's policy and procedure for wastage of the unused portions, if any, of the controlled substances, as follows:

Date	Patient ID	Physician's Order	Medication Dispensing System Record	Medication Administration Record	Nurse's Notes	Wastage
05/15/06	30211	None	Meperidine HCL 50mg/ 1ml SYR @ 19:02	Not documented as administered	Not provided	Not documented
05/15/06	23288 *1	None	Meperidine HCL 75mg/ 1ml SYR @ 19:40	Not documented as administered	Not provided	Not documented
05/15/06	W.Y. *2	None	Meperidine HCL 50mg/ 1ml SYR @ 20:45	Not documented as administered	Not provided	Not documented
05/15/06	21302	None	Meperidine HCL 50mg/ 1ml SYR @ 21:36	Not documented as administered	Not provided	Not documented

*1. Demerol 50mg IM given with Phenergan 12.5mg q 4 hrs prn pain" written on Nursing Cardex on May 15, 2006. Telephone Order for Demerol 50mg IM give with Phenergan 12.5mg q 4 hrs prn pain, written on May 16, 2006, at 03:00.

*2. There is no record of Patient WY on May 15, 2006, at this facility.

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(10)(C)&(11)(B).

CHARGE IX.

On or about May 17, 2006, Respondent was arrested by the Gray County Sheriff's Office, Pampa, Texas, and subsequently Indicted on September 6, 2006, with three (3) counts of ATTEMPTING TO OBTAIN/POSSESSION OF A CONTROLLED SUBSTANCE BY DECEPTION (2nd and 3rd Degree Felony offenses committed on May 16, 2006), in the Gray County District Court, Pampa, Texas, under Cause No. 7364, 7365, and 7366.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

CHARGE X.

On or about July 18, 2006, Respondent submitted her Texas Online Renewal Document to the Board of Nurse Examiners for the State of Texas in which Respondent provided false, deceptive, and/or misleading information in that she answered "No" to the question:

Have you been convicted, adjudged guilty by court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWT's, PI's must be reported and are not considered minor traffic violations. (one time minor in possession [MIP] or minor in consumption [MIC] do not need to be disclosed, therefore, you may answer "No". If you have two or more MIP's or MIC's, you must answer "Yes").

On or about June 7, 2005, Respondent was Convicted of ISSUANCE OF A BAD CHECK - Count II (a Class C Misdemeanor offense committed on September 29, 2004), in the County Court at Law No. 1 in and for Randall County, Carryton, Texas, under Cause No. 2005-0020-L.

On or about May 17, 2006, Respondent was arrested by the Gray County Sheriff's Office, Pampa, Texas, and subsequently Indicted on three (3) counts of ATTEMPTING TO OBTAIN/POSSESSION OF A CONTROLLED SUBSTANCE BY DECEPTION (2nd and 3rd Degree Felony offenses committed on May 16, 2006), in the Gray County District Court, Pampa, Texas, under Cause No. 7364, 7365, and 7366.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H)&(I).

CHARGE XI.

On or about July 9, 2006, while employed as a Licensed Vocational Nurse with Palo Duro Nursing Home, Claude, Texas, Respondent misappropriated controlled substances from the facility and patients thereof. Respondent's conduct was likely to defraud the facility and patients thereof of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(B),(6)(G)&(11)(B).

CHARGE XII.

On or about July 9, 2006, while employed as a Licensed Vocational Nurse with Palo Duro Nursing Home, Claude, Texas, Respondent engaged in the intemperate use of Opiates, Cocaine, and Benzodiazepines in that she produced a specimen for a drug screen which resulted positive for Opiates, Cocaine, and Benzodiazepines. Possession of narcotics including, but not limited to, Opiates, Cocaine, and Benzodiazepines, are prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of narcotics including, but not limited to, Opiates, Cocaine, and Benzodiazepines by a 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 impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A)&(D).

CHARGE XIII.

On or about July 9, 2006, while employed as a Licensed Vocational Nurse with Palo Duro Nursing Home, Claude, Texas, Respondent lacked fitness to practice vocational nursing in that she exhibited strange behavior, had difficulty focusing both visually and mentally, and that her handwritten became progressively worse throughout her shift. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10),(12)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(B) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(E),(4)&(5).

CHARGE XIV.

On or about August 3, 2006, while employed as a Licensed Vocational Nurse with Interim Healthcare, Amarillo, Texas, Respondent fraudulently obtained prescription Rx #169352 (Hydrocodone/APAP 7.5/500), Rx #169314 (Albuterol 90 MCG Inhaler IVX), and Rx # 160032 (Furosemide 40mg Tablet IVX) for her own personal use from CVS Pharmacy, Amarillo, Texas, for Patient T.T.. Respondent signed the receipt for the prescriptions on the prescription pick up log with the name of another nurse employed by Interim Healthcare. Respondent's conduct was likely to defraud the facility and patients thereof of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4),(6)(A)&(G),(10)(B)&(E)&(11)(B).

BALANCE OF PAGE LEFT BLANK INTENTIONALLY

CONTINUED ON NEXT PAGE

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of 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 (\$1,200.00).

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 Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, Lying and Falsification, and Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

Filed this 11th day of September, 2008.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

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

Attachments:

0999/D