

IN THE MATTER OF PRIVILEGE TO PRACTICE §
FROM NEW MEXICO PRACTICAL NURSE §
LICENSE NUMBER L17505 & §
PERMANENT VOCATIONAL NURSE §
LICENSE NUMBER 131376 §
ISSUED TO JULIE ANNETTE PROCTOR, §
RESPONDENT §

BEFORE THE TEXAS
BOARD OF NURSING

ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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 Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: JULIE ANNETTE PROCTOR
1018 S. HWY 208
COLORADO CITY, TX 79512

During open meeting held in Austin, Texas, on **March 10, 2015**, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee 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(s) to practice 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 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 § 213.16(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 Privilege to Practice from New Mexico Practical Nurse License Number L17505, and Permanent Vocational Nurse License Number 131376, previously issued to JULIE ANNETTE PROCTOR, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 10th day of March, 2015.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed January 16, 2015.

d17r(2014.12.05)

Re: Privilege to Practice from New Mexico Practical Nurse License Number L17505,
& Permanent Vocational Nurse License Number 131376
Issued to JULIE ANNETTE PROCTOR
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12 day of March, 2015, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

JULIE ANNETTE PROCTOR
1018 S. HWY 208
COLORADO CITY, TX 79512

Via USPS First Class Mail



BY: _____

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

In the Matter of Privilege to Practice	§	BEFORE THE TEXAS
from New Mexico Practical Nurse	§	
License Number L17505 &	§	
Permanent Vocational Nurse	§	
License Number 131376	§	
Issued to JULIE ANNETTE PROCTOR,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JULIE ANNETTE PROCTOR, is a Vocational Nurse holding License Number 131376, 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 December 1, 2013, through December 13, 2013, while utilizing the multi-state Nurse Licensure Compact privilege associated with her license to practice as a Practical Nurse in the State of New Mexico, and while employed as a Vocational Nurse with Snyder Healthcare Center, Snyder, Texas, Respondent withdrew Norco from the Medication Cart for Residents H.B., R.S., A.F., J.T., and G.H., but failed to document, or completely and accurately document her assessment of the residents' pain/discomfort level and need for the medication. Additionally, Respondent failed to follow up with the residents and document the effectiveness of narcotic analgesics. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose, and Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

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)(B),(1)(C)&(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B), (1)(C),(4)&(11)(B).

CHARGE II.

On or about December 1, 2013, through December 13, 2013, while utilizing the multi-state Nurse Licensure Compact privilege associated with her license to practice as a Practical Nurse in the State of New Mexico, and while employed as a Vocational Nurse with Snyder Healthcare Center, Snyder, Texas, Respondent engaged in the intemperate use of Norco (Hydrocodone), Percocet (Oxycodone), and Morphine Sulfate (MS04), in that Respondent admitted to the Director of Nurses and the

Assistant Director of Nurses that she had taken Hydrocodone, Percocet, and Morphine Sulfate prescribed to her grandmother. Unlawful possession of Norco, Percocet, and Morphine Sulfate is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of controlled substances by a Licensed Vocational 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 patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(T), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4), (5),(10)(A),(10)(D)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and 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 Section 301.461, Texas Occupations Code. 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.texas.gov.

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, which can be found at the Board's website, www.bon.texas.gov.

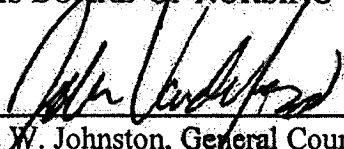
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NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

Filed this 16 day of January, 2015.

TEXAS BOARD OF NURSING


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