



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.  
*Stephanie P. Johnson*  
Executive Director of the Board

IN THE MATTER OF PERMANENT	§	BEFORE THE TEXAS
ADVANCED PRACTICE REGISTERED	§	
NURSE LICENSE NUMBER AP128877 &	§	BOARD OF NURSING
PERMANENT REGISTERED NURSE	§	
LICENSE NUMBER 883342	§	ELIGIBILITY AND
ISSUED TO	§	
SHANNAH KATHLEEN COZAD,	§	DISCIPLINARY COMMITTEE
RESPONDENT	§	

**ORDER OF THE BOARD**

TO: SHANNAH KATHLEEN COZAD  
4628 LOMA DE ARENA  
EL PASO, TX 79934

During open meeting held in Austin, Texas, on February 13, 2018, 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.

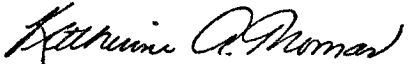
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Advanced Practice Registered Nurse License Number AP128877 and Permanent Registered Nurse License Number 883342, previously issued to SHANNAH KATHLEEN COZAD, 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 13th day of February, 2018.

TEXAS BOARD OF NURSING

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

Attachment: Formal Charge filed December 15, 2017.

d17r(APRN-RN)(2016.05.11)

Re: Permanent Advanced Practice Registered Nurse License Number AP128877  
& Permanent Registered Nurse License Number 883342  
Issued to SHANNAH KATHLEEN COZAD  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14<sup>th</sup> day of February, 2018, 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  
SHANNAH KATHLEEN COZAD  
4628 LOMA DE ARENA  
EL PASO, TX 79934

BY:



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

<b>In the Matter of</b>	§	<b>BEFORE THE TEXAS</b>
<b>Permanent Advanced Practice Registered</b>	§	
<b>Nurse License Number AP128877 with</b>	§	
<b>Prescription Authorization Number 18605</b>	§	
<b>&amp; Permanent Registered Nurse</b>	§	
<b>License Number 883342</b>	§	
<b>Issued to SHANNAH KATHLEEN COZAD,</b>	§	
<b>Respondent</b>	§	<b>BOARD OF NURSING</b>

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHANNAH KATHLEEN COZAD, is an Advanced Practice Registered Nurse holding License Number AP128877 with Prescription Authorization Number 18605, which is in delinquent status at the time of this pleading, and is a Registered Nurse holding License Number 883342, which is in delinquent 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 October 3, 2017, Respondent's credentials to practice as a registered nurse and advanced registered nurse practitioner in the State of Washington were both placed on Probation by the State of Washington Department of Health Nursing Care Quality Assurance Commission, Olympia, Washington. A copy of the Washington Department of Health Nursing Care Quality Assurance Commission's Agreed Order dated October 3, 2017, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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.

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](http://www.bon.texas.gov).

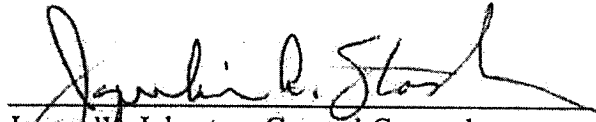
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Washington Department of Health Nursing Care Quality Assurance Commission's Agreed Order dated October 3, 2017.

Filed this 15<sup>th</sup> day of December, 2017.

TEXAS BOARD OF NURSING



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

Jena Abel, Deputy General Counsel  
Board Certified - Administrative Law  
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333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-8657  
F: (512) 305-8101 or (512)305-7401

Attachments: Washington Department of Health Nursing Care Quality Assurance Commission's Agreed Order dated October 3, 2017

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
NURSING CARE QUALITY ASSURANCE COMMISSION

In the Matter of

**SHANNAH KATHLEEN COZAD**  
Credential Nos. RN.RN.00150724  
ARNP.AP.60399114-NP

Respondent

Nos. M2017-241  
M2017-242

**STIPULATED FINDINGS OF  
FACT, CONCLUSIONS OF LAW  
AND AGREED ORDER**

The Nursing Care Quality Assurance Commission (Commission), through Staff Attorney Timothy Talkington, and Respondent, represented by counsel, Brian P. Waters, stipulate and agree to the following:

**1. PROCEDURAL STIPULATIONS**

1.1 On June 7, 2017, the Commission issued a Statement of Charges against Respondent.

1.2 Respondent understands that the Commission is prepared to proceed to a hearing on the allegations in the Statement of Charges.

1.3 Respondent understands that if the allegations are proven at a hearing, the Commission has the authority to impose sanctions pursuant to RCW 18.130.160.

1.4 Respondent has the right to defend against the allegations in the Statement of Charges by presenting evidence at a hearing.

1.5 Respondent waives the opportunity for a hearing on the Statement of Charges provided that the Commission accepts this Stipulated Findings of Fact, Conclusions of Law and Agreed Order (Agreed Order).

1.6 The parties agree to resolve this matter by means of this Agreed Order.

1.7 Respondent understands that this Agreed Order is not binding unless and until it is signed by the Commission and served by the Adjudicative Clerk Office.

1.8 If the Commission accepts this Agreed Order, it will be reported to the National Practitioner Databank (45 CFR Part 60), Nursys® ([www.nursys.com](http://www.nursys.com)), and elsewhere as required by law. It is a public document and will be placed on the Department of Health's website and otherwise disseminated as required by the Public Records Act (Chap. 42.56 RCW) and the Uniform Disciplinary Act. RCW 18.130.110.

STIPULATED FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND AGREED ORDER  
NOS. M2017-241 & M2017-242

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1.9 If the Commission rejects this Agreed Order, Respondent waives any objection to the participation at hearing of any Commission members who heard the Agreed Order presentation.

## 2. FINDINGS OF FACT

Respondent and the Commission stipulate to the following facts:

2.1 On July 28, 2003, the state of Washington issued Respondent a credential to practice as a registered nurse. Respondent's credential is currently active.

2.2 On July 15, 2013, the state of Washington issued Respondent a credential to practice as an advanced registered nurse practitioner. Respondent's credential is currently active. On July 10, 2013, the Respondent was granted certification in Family Psychiatric-Mental Health.

2.3 Beginning approximately July 28, 2013, the Respondent began prescribing controlled substances to Patient A, an immediate family member, for chronic noncancer pain. The Respondent continued to treat and regularly prescribe controlled substances to Patient A in increasing quantities until May 2015.

2.4 The Respondent repeatedly prescribed opioids (hydrocodone, oxycodone, and morphine sulfate) in excess of 120 MED daily in addition to prescribing combinations of opioids, long-acting opioids, benzodiazepines (alprazolam, clonazepam, and lorazepam), and zolpidem.

2.5 Hydrocodone, oxycodone, and morphine sulfate are schedule II controlled substances. Alprazolam, clonazepam, lorazepam, and zolpidem are schedule IV controlled substances.

2.6 The Respondent did not meet criteria for recognition as a pain management specialist, failed to comply with the advance practice pain management rules (WAC 246-840-460 through 493), and failed to refer her immediate family member to an independent provider for treatment and the prescribing of controlled substances.

## 3. CONCLUSIONS OF LAW

The Commission and Respondent agree to the entry of the following Conclusions of Law:

3.1 The Commission has jurisdiction over Respondent and over the subject matter of this proceeding.

3.2 Respondent has committed unprofessional conduct in violation of RCW 18.130.180(4), (7), (12), and WAC 246-840-300(3), (4), (5)(h), WAC 246-840-460, WAC 246-840-467, WAC 246-840-470, WAC 246-840-473, WAC 246-840-475, WAC 246-840-477, WAC 246-840-480, WAC 246-840-485, WAC 246-840-493(3), WAC 246-840-710(4)(a).

3.3 The above violations provide grounds for imposing sanctions under RCW 18.130.160.

#### 4. COMPLIANCE WITH SANCTION RULES

4.1 The Commission applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions. WAC 246-16-800(2)(c) requires the Commission to impose terms based on a specific sanction schedule unless "the schedule does not adequately address the facts in a case."

4.2 Respondent's alleged conduct falls in Tier B of the "Practice Below Standard of Care" schedule, WAC 246-16-810. The sanction range associated with that tier does adequately address the alleged facts of this case.

#### 5. AGREED ORDER

Based on the Findings of Fact and Conclusions of Law, the Commission and Respondent agree to entry of the following Agreed Order:

5.1 Respondent's credentials to practice as a registered nurse and advanced registered nurse practitioner in the state of Washington are both placed on **PROBATION** for at least three (3) years commencing on the effective date of this Agreed Order. During the course of probation, Respondent shall comply with all of the following terms and conditions.

5.2 Within six (6) months of the effective date of this Agreed Order, Respondent shall complete the Ethics and Boundaries Essay Examination through Ethics and Boundaries Assessment Services LLC (ebas). To satisfy this provision, Respondent must score 12 points or higher on all five sections of the essay. Respondent shall permit ebas to communicate with the Commission regarding her participation and scores in this course. Respondent shall provide evidence of successful complete of this course. Course information can be found at <http://www.ebas.org>.



5.3 Respondent may only prescribe controlled substances under direct supervision (the advanced registered nurse practitioner or physician supervisor who provides guidance and evaluation, is on the premises, is quickly and easily available, and has assessed the patient prior to the delegation of the duties). The supervisor must co-sign in the patient chart for all approved prescriptions for controlled substances. However, the Respondent may authorize standing PRN orders for lorazepam without direct supervision within an inpatient unit only, provided, the authorization must be co-signed in the patient chart by the supervisor within seventy-two (72) hours.

5.4 Respondent shall cause her health care employer to submit twelve (12) quarterly performance evaluation reports directly to the Commission on forms provided by the Commission. If Respondent is not employed as a nurse, Respondent shall submit quarterly declarations, under penalty of perjury, on forms provided by the Commission, stating dates of unemployment as a nurse, in lieu of the employer reports. Declarations of unemployment shall not be counted toward the required number of employer reports. This Agreed Order will remain in effect until all required health care employer reports have been received by the Commission. Each quarterly report must cover, at a minimum, one hundred fifty (150) hours of Respondent's practice as a nurse.

5.5 The first employer report or unemployment declaration shall be due thirty (30) days from the effective date of this order. Failure to submit information or making false or misleading statements may lead to further disciplinary action, up to and including suspension and revocation.

5.6 Respondent shall submit personal progress reports directly to the Commission, on forms supplied by the Commission, dealing with methods of handling stress, use of and handling of drugs, mental and physical health, methods of dealing with Commission action, professional responsibilities and activities and personal activities as they relate to practice as a nurse. The first report shall be due thirty (30) days from the effective date of this Agreed Order, and reports shall be submitted every three (3) months on the first day of the month, thereafter unless or until otherwise deemed less frequently or no longer required by the Commission and Respondent is so notified in writing.

5.7 In addition to any other inspections that the Commission may make, Respondent shall permit a Nursing Commission investigator, on an unannounced basis, to

audit at least ten (10) records and review practices related to Respondent's prescribing of controlled substances. The audit and review may take place at the Respondent's place of employment or practice at least three (3) times in the duration of this Agreed Order.

5.8 Respondent shall not engage in the solo practice as an advanced registered nurse practitioner for a period of three (3) years commencing on the effective date of this Agreed Order.

5.9 Any documents required by this Agreed Order shall be sent to Nursing Commission Compliance at PO Box 47864, Olympia, WA 98504-7864.

5.10 Respondent is responsible for all costs of complying with this Agreed Order.

5.11 Respondent shall inform the Nursing Commission Customer Service of changes in Respondent's residential and/or business address within thirty (30) days of the change. Respondent shall inform the Commission by calling (360) 236-4703, or by writing to Nursing Commission Customer Service, PO Box 47864, Olympia, WA 98504-7864.

5.12 Respondent shall obey all federal, state and local laws and all administrative rules governing the practice of the profession in Washington.

5.13 The effective date of this Agreed Order is the date the Adjudicative Clerk Office places the signed Agreed Order into the U.S. mail. If required, Respondent shall not submit any fees or compliance documents until after the effective date of this Agreed Order.

## 6. FAILURE TO COMPLY

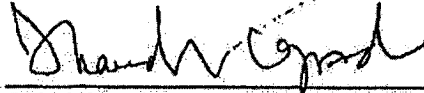
Protection of the public requires practice under the terms and conditions imposed in this Order. Failure to comply with the terms and conditions of this Order may result in suspension of the credential. If the Respondent fails to comply with the terms and conditions of this Order, the Commission may hold a hearing to require Respondent to show cause why the credential should not be suspended. Alternatively, the Commission may bring additional charges of unprofessional conduct under RCW 18.130.180(9). In either case, the Respondent will be afforded notice and an opportunity for hearing on the issue of non-compliance.

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**7. ACCEPTANCE**

I, SHANNAH KATHLEEN COZAD, have read, understand and agree to this Agreed Order. This Agreed Order may be presented to the Commission without my appearance. I understand that I will receive a signed copy if the Commission accepts this Agreed Order.



SHANNAH KATHLEEN COZAD  
RESPONDENT

9/14/17  
DATE



BRIAN P. WATERS, WSBA # 36619  
ATTORNEY FOR RESPONDENT

9/22/17  
DATE

**8. ORDER**

The Commission accepts and enters this Stipulated Findings of Fact, Conclusions of Law and Agreed Order.

DATED: October 3, 2017

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
NURSING CARE QUALITY ASSURANCE  
COMMISSION

*Jeannie M Eylan*

PANEL CHAIR

PRESENTED BY:

*TJ*

TIMOTHY TALKINGTON, WSBA #41297  
STAFF ATTORNEY

October 3, 2017

DATE