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Patricia P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse License Number 197081 §
issued to MANDY RAWN WILLINGHAM §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 197081, issued to MANDY RAWN WILLINGHAM, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Amarillo College, Amarillo, Texas, on December 17, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on January 25, 2005.

4. Respondent's vocational nursing employment history includes:

2005 - 2006	LVN	Moore County Hospital District Dumas, TX
11/06 - 09/09	LVN	Stratford Family Medical Clinic Stratford, TX

Respondent's vocational nursing employment history (continued):

10/09 - 02/10	LVN	Faith Family Medical Clinic Panhandle, TX
03/10 - Present	Unknown	

5. On or about January 11, 2012, Respondent was noticed on the following allegations:

On or about 2007 through 2009, while employed as a Licensed Vocational Nurse with Stratford Hospital District, Stratford, Texas, Respondent:

- falsified and/or failed to accurately maintain medical records pertaining to narcotic administration.
 - failed to properly waste narcotics. Additionally, Respondent would sign off as a witness for multiple wastes that she did not actually witness.
 - inappropriately called in prescriptions for Xanax, Adipex, Effexor, Welbutron, Ambien, and Lortab for herself to the Elk Pharmacy, Stratford, Texas. Additionally, Respondent allowed prescriptions to be called in under her name for the use of the advanced nurse practitioner.
 - failed to properly report inappropriate medical practices to the appropriate legal authority and licensing board.
6. In response to Finding of Fact Number Five (5), Respondent states that the facility did not have detailed protocols to follow and she had minimal experience in the clinical setting. Respondent states that about nine (9) or ten (10) months at the clinic, she approached her supervisor/advanced nurse practitioner with the idea to start keeping a narcotic log due to the large amount of medications that were being administered. Respondent states that she notified her supervisor's medical director of the situation and was instructed to keep a narcotic count sheet. Additionally, Respondent states that she would also log administrations once the advanced nurse practitioner would return and inform her what medications were administered. Respondent states that she did not knowingly falsify medical records and completed the forms to the best of her ability and by the instruction of her supervisor and medical director. Furthermore, Respondent states that she never ordered prescriptions without the approval of her supervisor/advance nurse practitioner. Respondent states that she believed it was not an issue because her provider gave her permission to do so and the pharmacy never questioned the practice. Lastly, Respondent states that she had an idea where all the narcotics were going but had no proof of abuse or misuse by staff members and therefore could not in good faith accuse anyone. Respondent states that she informed her supervisor and the medical director and felt that she had taken the appropriate action of notifying those in charge and that it was no longer her obligation.

7. On February 8, 2012, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated January 18, 2012, is attached and incorporated herein by reference as part of this Order.
8. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

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)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C),(D)&(K), and 22 TEX. ADMIN. CODE §217.12(1)(A),(B)&(C),(4),(6)(A)&(H),(10)(B),(C)&(E),&(11)(B)&(D)
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 197081, heretofore issued to MANDY RAWN WILLINGHAM, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "Licensed Vocational Nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a Licensed Vocational Nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a Licensed Vocational Nurse during the period in which the license is surrendered.
2. 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.
3. 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 nurse licensure compact privileges, if any, to practice vocational nursing in the State of Texas.

Effective this 23rd day of February, 2012.

TEXAS BOARD OF NURSING



By: _____

Katherine A. Thomas

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