

BEFORE 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

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In the Matter of Registered Nurse §  
License Number 590506 §  
issued to TIFFANY JOELLE (TIDWELL) NAGEL §

REINSTATEMENT  
AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 590506, held by TIFFANY JOELLE (TIDWELL) NAGEL, hereinafter referred to as Petitioner.

An informal conference was held on December 7, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Denise Benbow, RN, Nurse Consultant, Executive Director's Designee; Nikki Hopkins, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from Northwestern State University, Natchitoches, Louisiana, on December 1, 1992. Petitioner was originally licensed to practice professional nursing in the State of Texas on April 2, 1993.

4. Petitioner's professional nursing employment history includes:

Unknown	Staff Nurse	Shumpert Medical Center Shreveport, Louisiana
Unknown	Staff Nurse	Willis Knighton Center for Women's Care Shreveport, Louisiana
4/03 - 6/03	Staff Nurse	Clear Lake Regional Medical Center Webster, Texas
Unknown	Staff Nurse	Matria Health Care Houston, Texas

5. On September 14, 2004, Petitioner's license to practice professional nursing was revoked by the Texas Board of Nursing. A copy of the September 14, 2004, Order of the Board is attached and incorporated, by reference, as a part of this Order.
6. On or about September 8, 2010, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. Petitioner presented the following in support of her petition:
- 7.1. Order affecting Community Supervision, dated August 7, 2009, reflecting Petitioner's discharge from probation. Petitioner was issued a Deferred Adjudication for the State Jail Felony offense of Possession of a Controlled Substance on July 27, 2007.
- 7.2. Letter, dated July 14, 2010, from James Eades, MD, Gulf Coast Center, Galveston, Texas, states Petitioner has been under his care at the clinic since April 2008. She has been diagnosed with Bipolar 1 Disorder, Most Recent Episode Unspecified. Petitioner has been compliant with treatment and has been stable with the use of medication. At this time, Dr. Eades knows of no psychiatric problems that would preclude her from resuming a nursing career.
- 7.3. Certificate from ADA Women's Center, Inc., Galveston, Texas, reflecting Petitioner entered treatment on January 16, 2008, and successfully completed Residential Treatment on February 13, 2008.
- 7.4. Letter of support, dated February 3, 2010, from Marsha L. Masi, Galena Park ISD, Houston, Texas, states good fortune brought Petitioner into her life in June 2009. Ms. Masi's husband has been undergoing treatment for drug addiction and alcoholism since January of last year. He met Petitioner during sessions for that treatment in June 2009. Petitioner has helped Mr.

Masi over many hurdles associated with treatment of this nature. She is always there to answer questions and steer him through the many pitfalls one encounters while going through this process. She has spent many hours and days helping him to understand the nature of this disease and the rigorous honesty it requires to achieve success putting his life back together. Petitioner relentlessly pursues a course of action that has enabled Ms. Masi's husband to go from a frightened, reclusive individual, unable to function in the world outside the confines of the home, to one who is slowly becoming an outgoing, secure member of society. She is restoring his faith in himself and Ms. Masi's faith in her husband.

- 7.5. Letter of support, dated May 28, 2010, from Warren Ayres, Vice President, Bay Area Club, League City, Texas, states Petitioner is a person of excellent character and participates in her recovery helping others. Mr. Ayres can attest to Petitioner's recovery efforts by attending AA meetings the past two and one-half years at Bay Area Club (BAC). While the BAC does not monitor attendance, Mr. Ayres can personally attest that Petitioner is a regular attendee at the Serenity Group meeting for the past two (2) years. Petitioner willingly shares her experience with alcohol along with recovery in AA.
- 7.6. Letter of support, dated July 27, 2010, from Will Garvin, President, Texas Transmitter, Kemah, Texas, states he first met Petitioner about two and one-half years ago when she began attending daily meetings at a 12 step recovery program at the Bay Area Club (BAC) in League City, Texas. Petitioner's personal commitment to the program has been remarkable. The manner in which she has embraced personal honesty and accepted total responsibility for her successful recovery program has been an inspiration to Mr. Garvin and countless others who have come to respect her leadership. Her willingness to assist others with their program of recovery knows no equal. She is always the first to personally accept and console the newcomer. She freely dedicates her time and resources to work with others in need, without regard to her own personal and selfless sacrifice. Petitioner is highly intelligent, and has a very quick mind. She has unintentionally become a role model for service to others, respected by the hundreds of persons at the BAC with whom she come in contact with on a daily basis. Given her education, previous experience in the nursing profession, and her unique life experiences, Mr. Garvin has no doubt that will compliment the nursing profession with the highest standards of integrity and compassionate service.
- 7.7. Letter of support, dated July 7, 2010, from Stephanie Rose, states Petitioner is her sponsor in Alcoholics Anonymous. Ms. Rose met Petitioner at the Bay Area Club in 2008, where she regularly attends meetings. Petitioner has been a major inspiration in Ms. Rose's life and in her recovery.
- 7.8. Letter of support, dated July 7, 2010, from Hugh Bowen, Dickinson, Texas, states he has known Petitioner through Alcoholics Anonymous. Petitioner works a very strong program. Mr. Bowen has seen Petitioner under stress and emotional issues and can assure the Board she is strong.

- 7.9. Documentation of support group attendance dating from September 29, 2010, through December 3, 2010.
- 7.10. Verification of successful completion of twenty (20) Type I Continuing Education Contact Hours.
8. Petitioner gives September 28, 2007, as her date of sobriety.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
3. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

#### ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of TIFFANY JOELLE (TIDWELL) NAGEL, Registered Nurse License Number 590506, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies in all respects with the Nursing Practice Act, Texas Occupations Code, §301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et. seq.* and the stipulations contained in this Order:

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a minimum 80-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure probation conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to TIFFANY JOELLE (TIDWELL) NAGEL, shall be subject to the following agreed post-licensure probation conditions:

(6) PETITIONER SHALL pay a monitoring fee in the amount of five hundred (\$500.00) dollars. PETITIONER SHALL pay this fine within forty-five (45) days of relicensure. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(7) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify PETITIONER's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*  
*<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>*

**IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATION PERIOD:**

(8) PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER'S license. PETITIONER SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(9) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(10) For the first year of employment as a Nurse under this Order, PETITIONER SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). The PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(11) For the remainder of the stipulation period, PETITIONER SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as PETITIONER, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(12) PETITIONER SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which PETITIONER is regularly assigned for one (1) year of employment as a nurse.

(13) PETITIONER SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(14) PETITIONER SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a nurse.

(15) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for three (3) years of employment as a nurse.



(16) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, PETITIONER SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and PETITIONER SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(17) PETITIONER SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the PETITIONER'S place of employment at any time during the stipulation period and require PETITIONER to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. PETITIONER SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

(18) PETITIONER SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. PETITIONER SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the PETITIONER'S progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the PETITIONER'S stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the stipulation period, or until PETITIONER is dismissed from therapy.

(19) PETITIONER SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. PETITIONER SHALL

provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by PETITIONER. PETITIONER SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER's license to practice professional nursing in the State of Texas and PETITIONER shall be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

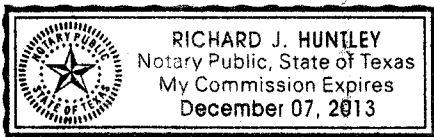
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 21 day of January, 2010.

*Tiffany Joelle Tidwell-Nagel*  
TIFFANY JOELLE (TIDWELL) NAGEL, Petitioner

Sworn to and subscribed before me this 21 day of January, 2010.

SEAL

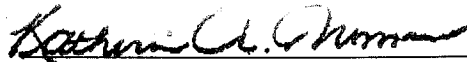


*R. J. Huntley*

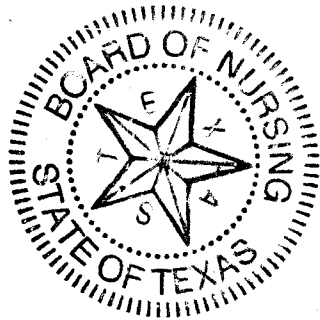
Notary Public in and for the State of TEXAS.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 21st day of January, 2011, by TIFFANY JOELLE (TIDWELL) NAGEL, Registered Nurse License Number 590506, and said Order is final.

Effective this 8th day of March, 2011.



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



IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 590506  
ISSUED TO  
TIFFANY JOELLE NAGEL

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BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE OF THE BOARD  
OF NURSE EXAMINERS OF THE  
STATE OF TEXAS

**ORDER OF THE BOARD**

TO: TIFFANY JOELLE NAGEL  
3045 Marina Bay Dr. #5110  
League City, Texas 77579

During open meeting held in Austin, Texas, on September 14, 2004, the Eligibility and Disciplinary Committee (herinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE, §213.16.

The Committee of the Board of Nurse Examiners 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 Texas Occupations Code, for retention of Respondent's license to practice professional 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 of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE, §213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code, §2001.056 and 22 Texas Administrative Code, §213.16.

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 to set aside the default order (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 Certificate Number 590506, previously issued to TIFFANY JOELLE NAGEL, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

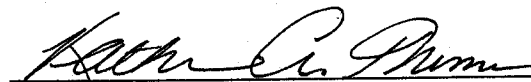
IT IS FURTHER ORDERED that Permanent Certificate Number 590506, previously issued to TIFFANY JOELLE NAGEL, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

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

Entered this 14th day of September, 2004.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

BY:



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

In the Matter of Permanent License  
Number 590506, Issued to  
TIFFANY JOELLE NAGEL, Respondent

§ BEFORE THE BOARD  
§ OF NURSE EXAMINERS  
§ FOR THE STATE OF TEXAS

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TIFFANY JOELLE NAGEL, is a Registered Nurse holding license number 590506, 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 June 2, 2003, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent withdrew Demerol and Phenergan from the Pyxis Medication Dispensing System for Patient Medical Record Number G0000061625 in excess frequency of the physician's order. Respondent's conduct was likely to injure the patient in that the administration of Demerol and Phenergan in excess frequency of the physician's order could result in the patient suffering from adverse reactions, including respiratory depression.

The above action constitutes a violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(3).

#### CHARGE II.

On or about June 2, 2003, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent withdrew Demerol and Phenergan from the Pyxis Medication Dispensing System for Patient Medical Record Number G0000061625, but failed to completely and accurately document the administration of the medications in the patient's Medication Administration Record (MAR), Nurses Notes, or both, as follows:

DATE/TIME	PATIENT	PYXIS	PHYSICIAN'S ORDER	MAR	NURSES NOTES	WASTAGE
6/2/03@0818	G0000061625	MEPERIDINE 50MG VIAL	DEMEROL 50MG IV Q 3 HRS PRN	NO	NO	NO
6/2/03@1051	G0000061625	MEPERIDINE 50MG VIAL	DEMEROL 50MG IV Q 3 HRS PRN	NO	NO	NO
6/2/03@1335	G0000061625	MEPERIDINE 50MG VIAL	DEMEROL 50MG IV Q 3 HRS PRN	1337	NO	NO



6/2/03@0818	G0000061625	PROMETH-AZINE 25MG	PHENERGAN 25MG IV Q 4 HRS PRN	NO	NO	NO
6/2/03@1335	G0000061625	PROMETH-AZINE 25MG	PHENERGAN 25MG IV Q 4 HRS PRN	1337	NO	NO

Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on the documentation to further medicate the patient which could result in over-medication.

The above action constitutes a violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(4)&(20).

### CHARGE III.

On or about June 2, 2003, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent engaged in the intemperate use of Meperidine and Benzodiazepines as evidenced by a positive drug screen. Possession of Meperidine and Benzodiazepines is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Meperidine and Benzodiazepines by a Registered 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 a violation of Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1).

### CHARGE IV.

On or about June 2, 2003, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent misappropriated Demerol and Phenergan belonging to the facility and patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes a violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(19).

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NOTICE IS GIVEN that staff will present evidence in support of any recommended disposition of this matter pursuant to the factors stated in the Board's rule regarding penalty/sanction factors, 22 TEX. ADMIN. CODE, Section 213.33.

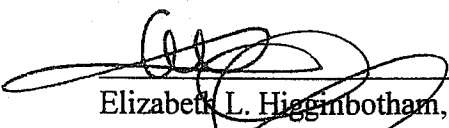
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bne.state.tx.us.

Filed this 26<sup>th</sup> day of July, 2004.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300  
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FOR THE STATE OF TEXAS  
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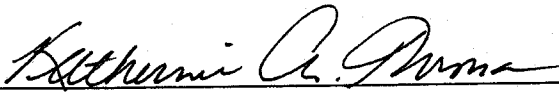
Re: Permanent Certificate Number 590506  
Issued to TIFFANY JOELLE NAGEL  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of September, 2004, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via first class mail, and addressed to the following person(s):

TIFFANY JOELLE NAGEL  
3045 Marina Bay Dr. #5110  
League City, Texas 77579

BY:

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