



BEFORE THE TEXAS BOARD OF NURSING

In the Matter of License Number 190820 § AGREED
issued to AMY MICHELLE DAVIS § ORDER

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 A. Thomas
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the F
considered the matter of AMY MICHELLE DAVIS, Vocational Nurse License Number 19
hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on September 11, 2008, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from South Plains College, Plainview, Texas, on August 19, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on October 7, 2003.
5. Respondent's vocational nursing employment history includes:

August 2003 - April 2004

Staff LVN
Texas Tech University, Montford Unit
Lubbock, Texas

Respondent's nursing employment history (continued):

April 2004 - June 2004	Staff LVN Running Water Draw Care Center Olton, Texas
June 2004 - April 2007	Staff LVN Texas Tech University, Montford Unit Lubbock, Texas
May 2007 - August 2007	Staff Tier 2 LVN Covenant Medical Center Lubbock, Texas
August 2007 - Current	Staff LVN Texas Tech University, Montford Unit Lubbock, Texas

6. On or about December 1, 2007, through June 18, 2008, while employed with Texas Tech University, Montford Unit, Lubbock, Texas, Respondent practiced as a Vocational Nurse without a valid license. Board records indicate that Respondent's license expired on November 30, 2007. Respondent's conduct may have affected her employer's decision to employ her.
7. At the time of the initial incident, Respondent was employed as a Vocational Nurse with Texas Tech University, Montford Unit, Lubbock, Texas, and had been in this position for four (4) months..

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)(1)&(10)), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(H)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 190820, heretofore issued to AMY MICHELLE DAVIS, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply 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 this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice vocational nursing in the State of Texas.

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

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to AMY MICHELLE DAVIS to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. 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.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT 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) contact 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. RESPONDENT 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 RESPONDENT'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>.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of May, 2009.

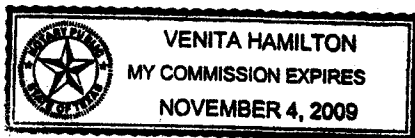
Amy Michelle Davis
AMY MICHELLE DAVIS, Respondent

Sworn to and subscribed before me this 14 day of May, 2009.

SEAL

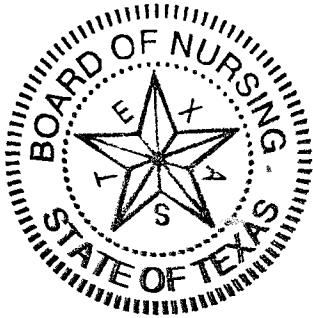
Venita Hamilton


Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 14th day of May, 2009, by AMY MICHELLE DAVIS, Vocational Nurse License Number 190820, and said Order is final.

Effective this 26th day of May, 2009.




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