

IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 771899
ISSUED TO
ALISON LEIGH PEREGOY

§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING

ELIGIBILITY AND
DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: Alison Leigh Peregoy
710 Bayou Bend Dr.
Deer Park, TX 77536

During open meeting held in Austin, Texas, on Tuesday, November 13, 2012, 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



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 R. Thomas
Executive Director of the Board

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 Registered Nurse License Number 771899, previously issued to ALISON LEIGH PEREGOY, 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 November, 2012.

TEXAS BOARD OF NURSING



BY: _____

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

Attachment: Formal Charge filed August 20, 2012.

Re: Permanent Registered Nurse License Number 771899
Issued to ALISON LEIGH PEREGOY
DEFAULT ORDER - REVOKE

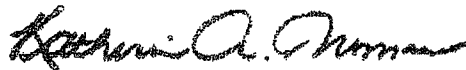
CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of November, 2012, 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

Alison Leigh Peregoy
710 Bayou Bend Dr.
Deer Park, TX 77536

BY:



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

In the Matter of	§	BEFORE THE TEXAS
Permanent Registered Nurse	§	
License Number 771899	§	
Issued to ALISON LEIGH PEREGOY,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ALISON LEIGH PEREGOY, is a Registered Nurse holding License Number 771899 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 May 4, 2011, through June 5, 2011, while employed with Christus St. John Hospital, Nassau Bay, Texas, Respondent withdrew Hydrocodone, Hydromorphone, Zolpidem and Modafinil from the medication dispensing system for patients, but failed to completely and accurately document the administration of the medication, including signs, symptoms and responses to the medication administered in the patient's Medication Administration Records (MARs) and/or Nurses Notes, as follows:

Date/ Time	Patient #	Medication Withdrawn	Physician's Order	MAR	Nurses' Notes	Wastage
5/4/11 19:48:38	710331470	(1) Hydromorphone 1mg	Dilaudid 1mg IV Q 4hrs PRN	None	None	None
5/4/11 23:01:47	710331470	(2) Hydrocodone 7.5/325 Tabs	Vicodin ES 1-2 tabs PO Q 6hrs PRN	None	None	None
5/5/11 02:03:03	710331470	(2) Hydrocodone 7.5/325 Tabs	Vicodin ES 1-2 tabs PO Q 6hrs PRN	None	None	None
5/5/11 05:26:38	710331470	(2) Hydrocodone 7.5/325 Tabs	Vicodin ES 1-2 tabs PO Q 6hrs PRN	None	None	None
5/5/11 05:26:53	710331470	(1) Hydromorphone 1mg	Dilaudid 1mg IV Q 4hrs PRN	None	None	None
5/17/11 21:19:49	710335294	(2) Hydrocodone 10/325	Norco 5/325 1-2 Tabs PO Q 4hrs PRN	None	None	None
5/17/11 21:59:43	710335294	(1) Zolpidem 10mg Tab	No Order	None	None	None
5/18/11 01:20:23	710335017	(2) Hydrocodone 10/325mg	Norco 10/325 1-2 Tabs PO Q6hrs PRN	None	None	None
5/18/11 01:21:18	710335017	(4) Modafinil 100mg Tab	No Order	None	None	None

5/18/11 18:31:18	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/18/11 22:49:52	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/19/11 08:07:11	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/20/11 18:55:11	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/20/11 18:55:52	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/20/11 23:01:31	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/21/11 02:06:08	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/21/11 03:47:39	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/21/11 07:25:26	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/21/11 21:38:43	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/21/11 22:48:53	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/22/11 02:24:28	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/22/11 05:07:23	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/22/11 23:07:17	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/23/11 06:44:56	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/30/11 22:26:10	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/31/11 02:57:58	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/31/11 21:38:04	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
6/1/11 07:02:28	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
6/3/11 01:16:08	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None

6/5/11 02:27:05	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
6/5/11 22:17:48	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

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

CHARGE II.

On or about May 4, 2011, though June 5, 2011, while employed with Christus St. John Hospital, Nassau Bay, Texas, Respondent withdrew Hydrocodone, Hydromorphone, Zolpidem and Modafinil from the medication dispensing system for patients, but failed to follow the policy and procedure for the wastage of the unused portions of the medication as follows:

Date/ Time	Patient #	Medication Withdrawn	Physician's Order	MAR	Nurses' Notes	Wastage
5/4/11 19:48:38	710331470	(1) Hydromorphone 1mg	Dilaudid 1mg IV Q 4hrs PRN	None	None	None
5/4/11 23:01:47	710331470	(2) Hydrocodone 7.5/325 Tabs	Vicodin ES 1-2 tabs PO Q 6hrs PRN	None	None	None
5/5/11 02:03:03	710331470	(2) Hydrocodone 7.5/325 Tabs	Vicodin ES 1-2 tabs PO Q 6hrs PRN	None	None	None
5/5/11 05:26:38	710331470	(2) Hydrocodone 7.5/325 Tabs	Vicodin ES 1-2 tabs PO Q 6hrs PRN	None	None	None
5/5/11 05:26:53	710331470	(1) Hydromorphone 1mg	Dilaudid 1mg IV Q 4hrs PRN	None	None	None
5/17/11 21:19:49	710335294	(2) Hydrocodone 10/325	Norco 5/325 1-2 Tabs PO Q 4hrs PRN	None	None	None
5/17/11 21:59:43	710335294	(1) Zolpidem 10mg Tab	No Order	None	None	None
5/18/11 01:20:23	710335017	(2) Hydrocodone 10/325mg	Norco 10/325 1-2 Tabs PO Q6hrs PRN	None	None	None
5/18/11 01:21:18	710335017	(4) Modafinil 100mg Tab	No Order	None	None	None
5/18/11 18:31:18	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/18/11 22:49:52	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None

5/19/11 08:07:11	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/20/11 18:55:11	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/20/11 18:55:52	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/20/11 23:01:31	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/21/11 02:06:08	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/21/11 03:47:39	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/21/11 07:25:26	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/21/11 21:38:43	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/21/11 22:48:53	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/22/11 02:24:28	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/22/11 05:07:23	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/22/11 23:07:17	710336204	(2) Hydrocodone 10/325	Lortab 10/325 102 Tabs PO Q 6hrs PRN	None	None	None
5/23/11 06:44:56	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/30/11 22:26:10	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/31/11 02:57:58	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
5/31/11 21:38:04	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
6/1/11 07:02:28	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
6/3/11 01:16:08	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
6/5/11 02:27:05	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None
6/5/11 22:17:48	710325785	(2) Hydrocodone 5/325	Hydrocodone 5/325 1-2 Tabs Q 4hrs PRN	None	None	None

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

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), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

CHARGE III.

On or about May 17, 2011 and May 18, 2011, while employed with Christus St. John Hospital, Nassau Bay, Texas, Respondent withdrew Zolpidem and Modafinil from the medication dispensing system for patients without physician's orders, as follows:

Date/ Time	Patient #	Medication Withdrawn	Physician's Order	MAR	Nurses' Notes	Wastage
5/17/11 21:59:43	710335294	(1) Zolpidem 10mg Tab	No Order	None	None	None
5/18/11 01:21:18	710335017	(4) Modafinil 100mg Tabs	No Order	None	None	None

Respondent's conduct was likely to injure the patients in that the administration of Zolpidem and Modafinil without a valid physician's order could result in the patient suffering from adverse reactions.

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)(C) and §217.12(1)(A),(1)(B),(4)&(11)(B).

CHARGE IV.

On or about May 5, 2011, though June 5, 2011, while employed with Christus St. John Hospital, Nassau Bay, Texas, Respondent admitted to misappropriating controlled substances from the facility for her own personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(6)(G)&(8).

CHARGE V.

On or about September 14, 2011, through September 25, 2011, while employed with St. Lukes Patient's Medical Center, Pasadena, Texas, Respondent withdrew Hydrocodone, Hydromorphone, Zolpidem, Morphine and Oxycodone from the medication dispensing system for patients, but failed to completely and accurately document the administration, including signs, symptoms and responses to the medication, in the patients' Medication Administration Records (MARs) and/or Nurses' Notes as follows:

Date/Time	Patient	Medication Withdrawn	Physician's Order	MAR	Nurses' Notes	Wastage
9/14/11 19:53	122606	(1) Hydromorphone 2mg	Dilaudid 2mg Q 2hrs PRN	None	None	None
9/14/11 22:18	122606	(1) Hydromorphone 2mg	Dilaudid 2mg Q 2hrs PRN	None	None	None
9/14/11 22:24	119527	(2) Hydrocodone 5/500mg	(2) Hydrocodone 5/500mg Q 4hrs PRN Pain	None	No	None
9/19/11 22:48	119911	(1) Hydrocodone 7.5/500mg	Lortab 7.5mg/500 PO Q 3hrs PRN	None	None	None
9/19/11 22:49	120021	(1) Hydrocodone 7.5/500mg	Lortab 7.5mg/500 PO Q 3hrs PRN	None	None	None
9/24/11 04:37	121982	(2) Hydrocodone 7.5/500mg	Vicodin ES 1-2 Tabs Q 4-6hrs PRN	None	None	None
9/24/11 21:50	121981	(2) Hydrocodone 7.5/500mg	Vicodin ES 1-2 Tabs Q 4-6hrs PRN	None	None	None
9/24/11 21:50	121981	(1) Zolpidem Tartrate 10mg	Ambien 10mg 1 Tab PO PRN Sleep	None	None	None
9/24/11 21:50	121981	(2) Hydrocodone 7.5/500mg	Vicodin ES 1-2 Tabs Q 4-6hrs PRN	None	None	None
9/24/11 23:53	124249	(1) Morphine Sulfate 2mg	Morphine 2mg IV Q 4hrs PRN	None	None	None
9/25/11 00:54	123769	(1) Hydrocodone 7.5/500mg	Vicodin ES 1 Tab PO Q 3hrs PRN	None	None	None
9/25/11 03:04	123769	(2) Oxycodone 5/500	Oxycodone 5/500 2 Tabs PO Q 4hrs PRN	None	None	None
9/25/11 03:07	124249	(1) Hydrocodone 7.5/500mg	Hydrocodone 7.5/500 1 Tab Q 4hrs PRN	None	None	None

9/25/11 19:23	124249	(1) Hydrocodone 7.5/500mg	Hydrocodone 7.5/500 1 Tab Q 4hrs PRN	None	None	None
9/25/11 22:10	123915	(1) Hydrocodone 7.5/500mg	Lortab 7.5/500 PO) Q 4hrs PRN	None	None	None
9/25/11 23:54	124249	(1) Hydrocodone 7.5/500mg	Hydrocodone 7.5/500 1 Tab Q 4hrs PRN	None	None	None

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

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

CHARGE VI.

On or about September 14, 2011, through September 25, 2011, while employed with St. Lukes Patient's Medical Center, Pasadena, Texas, Respondent withdrew Hydrocodone, Hydromorphone, Zolpidem, Morphine, and Oxycodone from the medication dispensing system for patients, failed to follow the policy and procedure for the wastage of the unused portions of the medication, as follows:

Date/ Time	Patient	Medication Withdrawn	Physician's Order	MAR	Nurses' Notes	Wastage
9/14/11 19:53	122606	(1) Hydromorphone 2mg	Dilaudid 2mg Q 2hrs PRN	None	None	None
9/14/11 22:18	122606	(1) Hydromorphone 2mg	Dilaudid 2mg Q 2hrs PRN	None	None	None
9/14/11 22:24	119527	(2) Hydrocodone 5/500mg	(2) Hydrocodone 5/500mg Q 4hrs PRN Pain	None	None	None
9/19/11 19:45	123656	(1) Hydromorphone 2mg	Dilaudid 1mg IV Q 3hrs PRN	1mg 19:45	None	None
9/19/11 22:47	123656	(1) Hydromorphone 2mg	Dilaudid 1mg IV Q 3hrs PRN	1mg 22:30	None	None
9/19/11 22:48	119911	(1) Hydrocodone 7.5/500mg	Lortab 7.5mg/500 PO Q 3hrs PRN	None	None	None
9/19/11 22:49	120021	(1) Hydrocodone 7.5/500mg	Lortab 7.5mg/500 PO Q 3hrs PRN	None	None	None

9/24/11 04:37	121982	(2) Hydrocodone 7.5/500mg	Vicodin ES 1-2 Tabs Q 4-6hrs PRN	None	None	None
9/24/11 21:50	121981	(2) Hydrocodone 7.5/500mg	Vicodin ES 1-2 Tabs Q 4-6hrs PRN	None	None	None
9/24/11 21:50	121981	(1) Zolpidem Tartrate 10mg	Ambien 10mg 1 Tab PO PRN Sleep	None	None	None
9/24/11 21:50	121981	(2) Hydrocodone 7.5/500mg	Vicodin ES 1-2 Tabs Q 4-6hrs PRN	None	None	None
9/24/11 23:53	124249	(1) Morphine Sulfate 2mg	Morphine 2mg IV Q 4hrs PRN	None	None	None
9/25/11 00:54	123769	(1) Hydrocodone 7.5/500mg	Vicodin ES 1 Tab PO Q 3hrs PRN	None	None	None
9/25/11 03:04	123769	(2) Oxycodone 5/500	Oxycodone 5/500 2 Tabs PO Q 4hrs PRN	None	None	None
9/25/11 03:07	124249	(1) Hydrocodone 7.5/500mg	Hydrocodone 7.5/500 1 Tab Q 4hrs PRN	None	None	None
9/25/11 19:23	124249	(1) Hydrocodone 7.5/500mg	Hydrocodone 7.5/500 1 Tab Q 4hrs PRN	None	None	None
9/25/11 22:10	123915	(1) Hydrocodone 7.5/500mg	Lortab 7.5/500 PO) Q 4hrs PRN	None	None	None
9/25/11 23:54	124249	(1) Hydrocodone 7.5/500mg	Hydrocodone 7.5/500 1 Tab Q 4hrs PRN	None	None	None

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

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)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

CHARGE VII.

On or about September 14, 2011, through September 25, 2011, while employed with St. Lukes Patient's Medical Center, Pasadena, Texas, Respondent misappropriated Hydrocodone, Hydromorphone, Zolpidem, Morphine, and Oxycodone belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(6)(G)&(8).

CHARGE VIII.

On or about March 29, 2012, while employed with Harbor Hospice of Baytown, Baytown, Texas, Respondent attempted to pass fraudulent, unauthorized, telephonically communicated prescriptions for Zofran & Nufigil for herself. Respondent admitted to calling in the prescriptions to a local pharmacy. Respondent's conduct was likely to deceive the pharmacy and possession of Zofran & Nufigil through use of a unauthorized, fraudulent, telephonically communicated prescription is prohibited by Chapter 481 & 483 of the Texas Health and Safety Code (Controlled Substances Act and Dangerous Drug Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(8),(10)(E)&(11)(B).

CHARGE IX.

On or about June 13, 2012, while employed with Houston Hospice Houston, Texas, Respondent lacked fitness to practice professional nursing in that she exhibited impaired behavior while on duty that included, but is not limited to: slurred speech, being observed stumbling around and dropping her purse and fumbling with her keys while at Patient Medical Record Number 75740's home. Additionally, Respondent sounded "thick tongued" and began crying while speaking with other staff over the phone. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her 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 grounds for disciplinary action in accordance with Section 301.452(b)(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4)&(5).

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).

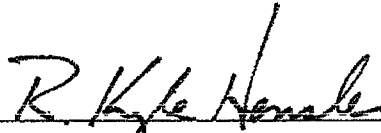
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

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, for Lying and Falsification, and for Fraud, Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

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 20th day of August, 2012.

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