



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse §
License Number 253367 § REINSTATEMENT
issued to CAROLYN COLLINS ANCY § AGREED ORDER

On this day came to be considered by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 253367, held by CAROLYN COLLINS ANCY, hereinafter referred to as Petitioner.

An informal conference was held on September 3, 2006, at the office of the Board of Nurse Examiners, 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 Mary Beth Thomas, MSN, RN, Director of Nursing Practice, Executive Director's Designee; Virginia Campbell, BSN, RN, Board Member; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Peggy Penn, RN, Nursing Consultant; 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 Del Mar College, Corpus Christi, Texas, in May 1979, and a Baccalaureate Degree in Nursing from the University of Texas at Arlington, Arlington, Texas, in 1988. Petitioner was originally licensed to practice professional nursing in the State of Texas in September 1980.

4. Petitioner's professional nursing employment history includes:

1980 - 1983	Unknown	
1983 - 1994	Staff Nurse	Harris Hospital Fort Worth, Texas
1994 - 1995	Staff Nurse	John Peter Smith Hospital Fort Worth, Texas
1995 - 1997	Staff Nurse	Healthsouth Rehabilitation Center Fort Worth, Texas
1997 - 8/99	Not employed in nursing	
9/99 - 1/00	Staff Nurse	Vencor Hospital Fort Worth, Texas
1/00 - 4/00	Unknown	
4/00 - 10/00	Staff Nurse	Tarrant Dialysis Center Fort Worth, Texas
10/00 - present	Not employed in nursing	

5. On August 15, 1997, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

6. On August 10, 1999, Petitioner's license to practice professional nursing was Reinstated with Stipulations by the Board of Nurse Examiners for the State of Texas. A copy of the Reinstatement Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On August 20, 2001, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

8. On August 28, 2001, Petitioner was arrested and on March 28, 2003, pled Guilty and was convicted for the offense, "Driving While Intoxicated," a Class B Misdemeanor, in the Tarrant County Criminal Court #3, Fort Worth, Texas. Petitioner was placed on probation for two (2) years and was discharged on April 21, 2005.
9. On April 2, 2002, Petitioner was arrested and on January 9, 2003, pled Guilty and was issued a Deferred Adjudication for the offense of "Evading Arrest/Detention w/Vehicle," a State Jail Felony, in the 249th District Court of Johnson County, Texas. Petitioner was placed on probation for a period of thirty-six (36) months and was discharged on March 22, 2006.
10. On April 2, 2002, Petitioner was arrested and on January 30, 2003, pled Guilty and was convicted for the offense, "Driving While Intoxicated," a Class B Misdemeanor, in the Johnson County Court at Law No. 1, Cleburne, Texas. Petitioner was placed on probation for two (2) years and was discharged on April 21, 2005.
11. On or about May 26, 2006, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
12. Petitioner presented the following in support of her petition:
 - 12.1. Order Terminating Probation without Adjudication of Guilt, dated March 22, 2006, in the 249th District Court of Johnson County, Texas.
 - 12.2. Letter of support, dated September 8, 2006, from Shelley McDaniel, Richardson, Texas, states as Petitioner's sponsor for the past four and one half years (4-1/2), she has watched her grow in the Alcoholics Anonymous 12-step program, as well as in her personal life. Ms. McDaniel feels Petitioner is on track and has nothing but praise for her and how she works her program on a daily basis. Petitioner attends meetings at a minimum of 2-3 times per week. She offers solutions to the group as she shares her past personal experiences. Ms. McDaniel feels that Petitioner will truly be an asset to the nursing community and stands behind to one hundred percent.
 - 12.3. Letter of support, dated September 27, 2006, from Jerry Wray, Health 2 Texas, Arlington, Texas, states as Petitioner's supervisor, he can attest she has been with the company for over a year and has not once called in sick or been tardy to work. Petitioner exhibits a strong work ethic and has been an attribute to the facility. She works independently and has outstanding character in all her endeavors.
 - 12.4. Documentation of twenty-seven (27) Type I Continuing Education contact hours.
13. Petitioner gives April 2, 2002, 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 Board of Nurse Examiners, that the petition of CAROLYN COLLINS ANCY, Registered Nurse License Number 253367, to practice professional nursing in the State of Texas, be and the same is hereby GRANTED SUBJECT TO THE FOLLOWING CONDITIONS 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 §211.01 *et. seq.* and the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's multistate licensure privilege, if any, to practice professional 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 multistate licensure 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 pay a monetary fine in the amount of five hundred (\$500.00) dollars. PETITIONER SHALL pay this fine within forty-five (45) days from relicensure. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(3) 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.

(4) 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.

(5) 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.

(6) Upon verification of successful completion of the agreed pre-licensure 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 CAROLYN COLLINS ANCY, shall be subject to the following agreed post-licensure stipulations:

(7) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing jurisprudence. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses can be found on the Board's website www.bne.state.tx.us (under BNE events).*

(8) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify PETITIONER's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

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 STIPULATIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION 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 STIPULATION PERIOD:

(9) PETITIONER SHALL notify all future employers in professional 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.

(10) 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.

(11) For the first year of employment as a Registered 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.

(12) 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.

(13) PETITIONER SHALL NOT practice as a professional 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 professional nurse.

(14) PETITIONER SHALL NOT practice as a professional nurse in any critical care area for one (1) year of employment as a professional 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.

(15) 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 professional nurse.

(16) 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 professional 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) months for three (3) years of employment as a professional nurse.

(17) 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.

(18) 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 second three (3) 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.

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 will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board. Failure to report for a drug screen may be considered the same as a positive result and may result in further disciplinary action by this Board.

(19) PETITIONER SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse; and 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) months. 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, PETITIONER SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

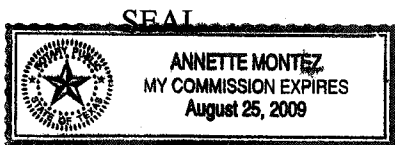
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. 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 3 day of April, 2007.

Carolyn Collins Ancy
CAROLYN COLLINS ANCY, Petitioner

Sworn to and subscribed before me this 3rd day of April, 2007.



Annette Montez
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 3rd day of April, 2007, by CAROLYN COLLINS ANCY, Registered Nurse License Number 253367, and said Order is final.

Effective this 8th day of May, 2007.



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 253367 § AGREED
issued to CAROLYN COLLINS ANCY § ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of License Number 253367, issued to CAROLYN COLLINS ANCY, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent is represented by Hector Uribe, Attorney at Law. Respondent waived informal conference and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas in May 1979 and a Bachelor of Science in Nursing from University of Texas at Arlington, Arlington, Texas, in 1988. Respondent was licensed to practice professional nursing in the State of Texas in September 1980.

5. Respondent's professional employment history includes:

1980 - 1983	Unknown
1983 - 1984	ICU Staff Nurse Harris Hospital Fort Worth, Texas
1994 - 1995	ICU Staff Nurse John Peter Smith Hospital Fort Worth, Texas
1995 - 1997	Home Health Staff Nurse Healthsouth Rehabilitation Center Fort Worth, Texas
1997 - 8/99	Respondent's was not employed in nursing
9/99 - 1/00	Staff Nurse Vencor Hospital Fort Worth, Texas
1/00 - 4/00	Unknown
4/00 - 10/00	Staff Nurse Tarrant Dialysis Center Fort Worth, Texas
10/00 - present	Unknown

6. Respondent was issued an Agreed Order on August 15, 1997, by the Board of Nurse Examiners for the State of Texas accepting the voluntary surrender of her license to practice professional nursing. A copy of the August 15, 1997, Agreed Order is attached and incorporated by reference as part of this Order.

7. Respondent was issued a Reinstatement Agreed Order on August 10, 1999, by the Board of Nurse Examiners for the State of Texas granting her petition for reinstatement of her license to practice professional nursing in the State of Texas. A copy of the August 10, 1999, Reinstatement Agreed Order is attached and incorporated by reference as part of this Order.

8. Formal Charges were filed on March 8, 2001, and mailed to Respondent certified mail return receipt requested on March 12, 2001. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
9. 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.
10. 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.

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 violations of Section 301.452(b)(1),(9),(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)&(12).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 253367, heretofore issued to CAROLYN COLLINS ANCY, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452(b), Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26 - .29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the voluntary surrender of License Number 253367, heretofore issued to CAROLYN COLLINS ANCY, to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to CAROLYN COLLINS ANCY, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. 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.
4. 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 multistate privilege, if any, to practice professional 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.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 25th day of July, 2001.

Carolyn Collins Ancy
CAROLYN COLLINS ANCY, Respondent

Sworn to and subscribed before me this 25th day of July, 2001.

SEAL

Karen Farrington
Notary Public in and for the State of Texas



Approved as to form and substance.

Hector Uribe
HECTOR URIBE, Attorney for Respondent

Signed this 25th day of July, 2001.


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WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of License Number 253367, previously issued to CAROLYN COLLINS ANCY.

Effective this 20th day of August, 2001.



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

In the Matter of Permanent License § **BEFORE THE BOARD**
Number 253367, Issued to § **OF NURSE EXAMINERS**
CAROLYN COLLINS ANCY, Respondent § **FOR THE STATE OF TEXAS**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CAROLYN COLLINS ANCY, is a Registered Nurse holding license number 253367, 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 January 8, 2000, while employed at Vencor Hospital, Fort Worth, Texas, Respondent was found sleeping while on duty. Respondent's conduct was likely to injure patients.

The above action constitutes a violation of Section 301.452(b)(10)&(12) of the Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(12).

CHARGE II.

On or about January 9, 2000, while employed at the aforementioned facility, Respondent, while on duty, was falling asleep while charting at the computer, had pinpoint pupils, shaking hands, unsteady gait and lethargic. Respondent's conduct was likely to injure patients.

The above action constitutes a violation of Section 301.452(b)(10)&(12) of the Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(12).

CHARGE III.

Respondent, on or about March 29, 2000, while employed with Tarrant Dialysis Center South Fort Worth, Burleson, Texas, engaged in the intemperate use of Alcohol in that Respondent produced a specimen for a drug screen which resulted positive for Alcohol. The use of Alcohol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes a violation of Section 301.452(b)(9) of the Texas Occupations Code.

CHARGE IV.

Respondent, on or about March 29, 2000, failed to comply with the Reinstatement Agreed Order issued to her on August 10, 1999, by the Board of Nurse Examiners in the State of Texas. Non-compliance was the result of Respondent's failure to comply with Stipulation Number Twelve (12) which states, in pertinent part:

"PETITIONER SHALL abstain from the consumption of alcohol...and/or use of controlled substances...."

The above action constitutes a violation of Section 301.452(b)(1) of the Texas Occupations Code.

CHARGE V.

Respondent, on or about May 17, 2000, while employed with Tarrant Dialysis Center South Fort Worth, Burleson, Texas, engaged in the intemperate use of Morphine in that Respondent produced a specimen for a drug screen which resulted positive for Morphine. Possession of Morphine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Morphine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient 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 VI.

Respondent, on or about May 17, 2000, failed to comply with the Reinstatement Agreed Order issued to her on August 10, 1999, by the Board of Nurse Examiners in the State of Texas. Non-compliance was the result of Respondent's failure to comply with Stipulation Number Twelve (12) which states, in pertinent part:

"PETITIONER SHALL abstain from the consumption of ...and/or use of controlled substances...."

The above action constitutes a violation of Section 301.452(b)(1), Texas Occupations Code.

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 attached and incorporated as a part of this pleading.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Orders which are attached and incorporated by reference as part of these charges, will be offered in support to the disposition recommended by staff: Agreed Orders dated August 15, 1997 and August 10, 1999.

Filed this 8TH day of March, 20 01.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

By: James W. Johnston, General Counsel
Board Certified Administrative Law
Texas Board of Legal Specialization
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(512) 305-7401 (Fax)

Attachments: Sections 301.452(b)
Section 213.33, 22 Texas Administrative Code (repeal and new chapter adopted 06/98,
change effective 09/01/98. Amended 06/99, effective 07/20/99)
Order of the Board dated August 15, 1997
Order of the Board dated August 10, 1999
Section 217.12, 22 Texas Administrative Code
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BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 253367 § REINSTATEMENT
issued to CAROLYN COLLINS ANCY § AGREED ORDER

On this day came to be considered by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the Petition for Reinstatement of registered nurse license number 253367, held by CAROLYN COLLINS ANCY, hereinafter referred to as Petitioner.

An informal conference was held on June 15, 1999, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

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 Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Investigations; and Korena Schaaf, Investigator.

FINDINGS OF FACT

1. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
2. Petitioner received a Baccalaureate Degree in Nursing from the University of Texas at Arlington, Arlington, Texas in 1988. Petitioner was originally license to practice professional nursing in the state of Texas on September 4, 1990.
3. Petitioner's professional employment history included:

1979 - 1983	Staff RN John Peter Smith Hospital Ft. Worth, Texas
1983 - 1994	Staff RN Harris Hospital Ft. Worth, Texas

Employment history (cont'd)

1994 - 1995	Staff RN John Peter Smith Hospital Ft. Worth, Texas
1995 - 1996	Home Health RN Advanced Healthcare Service Ft. Worth, Texas
1996 - 10/97	Home Health RN HealthSouth Rehab Hospital Ft. Worth, Texas
01/98 - present	Physical Therapy Tech/Clerical Worker HealthSouth Rehab Hospital Ft. Worth, Texas

4. The Board accepted the voluntary surrender of Petitioner's license to practice professional nursing on August 15, 1997. A copy of the Order accepting the surrender of Petitioner's license is attached and incorporated by reference as a part of this Order.
5. On or about January 4, 1999, Petitioner submitted a Petition for Reinstatement of license to practice professional nursing in the State of Texas.
6. Petitioner presented the following in support of her petition:
 - 6.1 Letter of support, dated September 21, 1998, from Joyce I. Penninger, RN, MPH, Home Health Administrator, CMS Home Care, Ft. Worth, Texas.
 - 6.2 Letter of recommendation, dated October 22, 1998, from Mary L Maxey, Manager, HealthSouth Burleson, Burleson, Texas.
 - 6.3 Documentation of support group attendance dated from May 14, 1997 through October 28, 1998.
 - 6.4 Documentation of completion of the required continuing education hours necessary for relicensure.
7. Petitioner's sobriety date is September 13, 1995.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, as amended, 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 Article 4525(c)(2), Revised Civil Statutes of Texas, as amended, 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 Board of Nurse Examiners, that the petition of CAROLYN COLLINS ANCY, license number 253367, to practice professional nursing in the state of Texas, be and the same is hereby GRANTED SUBJECT TO THE FOLLOWING CONDITIONS SO LONG AS THE PETITIONER complies in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, as amended, Art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and the stipulations contained in this Order:

(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 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 CAROLYN COLLINS ANCY, shall be subject to the following agreed post-licensure stipulations:

(3) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing jurisprudence. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 is to be taken in addition to any continuing education requirements the Board may have for relicensure.

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING, UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT:

(4) PETITIONER SHALL notify all future employers in professional nursing of this Order of the Board and the stipulations on PETITIONER's license. PETITIONER SHALL present a copy of this Order to each future employer prior to accepting an offer of employment.

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

(6) For the first year of employment as a registered 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 readily 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, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) For the remainder of the stipulation period under this Order, PETITIONER SHALL be supervised by a registered nurse who is on the premises. The supervising RN 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. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

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

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

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

(11) PETITIONER SHALL CAUSE each employer to submit, on forms provided by the Board, periodic reports as to PETITIONER's capability to practice professional nursing. These reports shall be completed by the Registered Nurse who supervises the PETITIONER. These reports shall be submitted to the office of the Board at the end of each three (3) months for two (2) years of employment as a professional nurse.

(12) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan 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.

(13) PETITIONER SHALL submit to random periodic screens for controlled substances and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the second three (3) month period, random screens shall be performed at least once per month. For the remainder of the stipulation/probation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene

A Board representative may appear at the PETITIONER's place of employment at any time during the stipulation/probation 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/probation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board.

(14) 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 professional 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.

(15) PETITIONER SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse; and 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) months. 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, PETITIONER SHALL be issued an unencumbered license to practice professional nursing in the State of Texas.

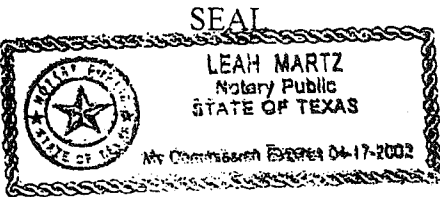
PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I 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 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19 day of July, 1999.

Carolyn Collins Ancy
CAROLYN COLLINS ANCY, Petitioner

Sworn to and subscribed before me this 19th day of July, 1999.



Leah Martz

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 19th day of July, 1999, by CAROLYN COLLINS ANCY, license number 253367, and said Order is final.

Effective this 10th day of August, 1999.



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 253367 issued to § AGREED ORDER
CAROLYN COLLINS ANCY §

An investigation by the Board produced evidence indicating that CAROLYN COLLINS ANCY, hereinafter referred to as Respondent, may have violated Article 4525(b)(8) and (9), Revised Civil Statutes of Texas, as amended.

An informal conference was held on May 13, 1997, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, Executive Director; Penny Puryear Burt, RN, J.D., Of Counsel; Anthony L. Diggs, Director of Investigations; and Diane E. Burell, Investigator.

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, notice and hearing, and consented to the entry of this order.
3. Respondent is currently licensed to practice professional nursing in Texas.
4. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, in May 1979. Respondent received a Bachelors Degree in Nursing from University of Texas at Arlington, Arlington, Texas, in 1988.

5. Respondent's professional employment history includes:

9/79 - 12/83	Staff Nurse John Peter Smith Hospital Fort Worth, Texas
12/83 - 1/94	Staff Nurse Harris Methodist Hospital Fort Worth, Texas
8/94 - 9/95	Staff Nurse John Peter Smith Hospital Fort Worth, Texas
10/95 - present	Home Health Nurse Fort Worth Rehabilitation Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Harris Methodist Hospital, Fort Worth, Texas, and had been in this position for one (1) year and one (1) month.
7. Respondent, while employed with the aforementioned facility, on or about January 3, 1994, misappropriated controlled substances from the facility for personal use. Respondent's conduct was likely to defraud patients or the public.
8. Respondent, while employed with John Peter Smith Hospital, Fort Worth, Texas, on or about May 22, 1995, engaged in the intemperate use of drugs in that she produced a specimen for a drug screen which tested positive for Morphine and Benzodiazepines. The use of Morphine and Benzodiazepines by a Registered Nurse, while subject to duty or call, could impair a nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition and could impair the nurse's ability to make rational, accurate and appropriate assessments, judgments and decisions regarding patient care, thereby placing the patient in potential danger.
9. Respondent, while employed with the aforementioned facility, on or about September 11, 1995, falsely presented herself to the hospital pharmacist as "L. Ellis" in order to misappropriate Demerol from the facility. Respondent's conduct was likely to defraud patients or the public.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Article 4525(b)(8) and (9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(15).
4. The evidence received is sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 253367, heretofore issued to CAROLYN COLLINS ANCY.
5. Under Article 4525.1(c), Revised Civil Statutes of Texas, as amended, the Board has the authority to accept the voluntary surrender of a license.
6. Under Article 4525.1(d), Revised Civil Statutes of Texas, as amended, the Board may impose conditions for reinstatement of licensure.

AGREED SANCTIONS

IT IS THEREFORE AGREED, that the voluntary surrender of license number 253367, heretofore issued to CAROLYN COLLINS ANCY to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to CAROLYN COLLINS ANCY, to the office of the Board of Nurse Examiners.

2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement until she can provide evidence of five (5) years of consecutive sobriety.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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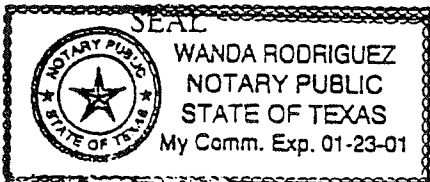
RESPONDENT'S CERTIFICATION

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 violations alleged. By my signature on this order, I agree to the Findings of Fact, Conclusions of Law, Agreed Sanctions, and any conditions of this order to avoid further disciplinary action in this matter. I consent to the issuance of the Agreed Sanctions. I waive judicial review of this order. I understand that when the signed and notarized order is received in the office of the Board, the terms of this order become effective, and a copy will be mailed to me.

Signed this 23 day of July, 1997

Carolyn Collins Ancy
CAROLYN COLLINS ANCY

Sworn to and subscribed before me this 23rd day of July, 1997.



Wanda Rodriguez
Notary Public in and for the State of _____

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of nursing license number 253367, previously issued to CAROLYN COLLINS ANCY.

Effective this 15 day of August, 1997.

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