

IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 747864
ISSUED TO
PHILLIP CRAIG HALL

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BEFORE THE TEXAS
BOARD OF NURSING

ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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.
William C. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: PHILLIP CRAIG HALL
c/o BENJAMIN GARCIA, ATTORNEY AT LAW
1915 BROADWAY AVENUE
LUBBOCK, TX 79401

During open meeting held in Austin, Texas, on Tuesday, March 19, 2013, 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

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 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.

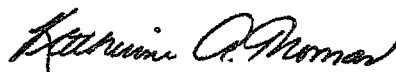
NOW, THEREFORE, IT IS ORDERED that , Permanent Registered Nurse License Number 747864, previously issued to PHILLIP CRAIG HALL, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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 19th day of March, 2013.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed January 30, 2013.

Re: Permanent Registered Nurse License Number 747864
Issued to PHILLIP CRAIG HALL
DEFAULT ORDER - REVOKE

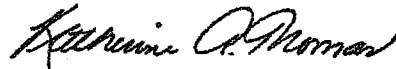
CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of March, 2013, 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

PHILLIP CRAIG HALL
c/o BENJAMIN GARCIA, ATTORNEY AT LAW
1915 BROADWAY AVENUE
LUBBOCK, TX 79401

BY:



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

In the Matter of
Permanent Registered Nurse
License Number 747864
Issued to PHILLIP CRAIG HALL,
Respondent

§ BEFORE THE TEXAS
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§
§ BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, PHILLIP CRAIG HALL, is a Registered Nurse holding License Number 747864 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 11, 2011, while employed with Interim Health Care, Lubbock, Texas and working at Lubbock Heart Hospital, Lubbock, Texas, Respondent withdrew Morphine, Norco, Fentanyl and Demerol from the Pyxis Medication Dispensing System for patients, but failed to completely and accurately document the administration of the medication in the patients' Medication Administration Records (MARs) and/or Nurses' Notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients 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)&(4).

CHARGE II.

On or about May 11, 2011, while employed with Interim Health Care, Lubbock, Texas and working at Lubbock Heart Hospital, Lubbock, Texas, Respondent withdrew Morphine, Norco, Fentanyl and Demerol from the Pyxis Medication Dispensing System for patients, but failed to follow the policy and procedure for the wastage of the medication. 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 III.

On or about May 11, 2011, while employed with Interim Health Care, Lubbock, Texas and working at Lubbock Heart Hospital, Lubbock, Texas, Respondent misappropriated Morphine, Norco, Fentanyl and Demerol 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 IV.

On or about October 2, 2012, Respondent pled Guilty to "Obtaining Controlled Substance Fraud-Schedule I/II" (a 2nd Degree Felony offense committed on May 11, 2011), in the 137th District Court Lubbock County, Texas, Case No. 2012433521. As a result of the plea, Respondent's adjudication of guilt was deferred and Respondent was placed on Community Supervision for ten (10) years, ordered to pay court costs and Respondent agreed to suspension of his nursing license for the duration of the probation.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B)&(13).

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 and TEX. OCC. CODE Ch. 53. 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).

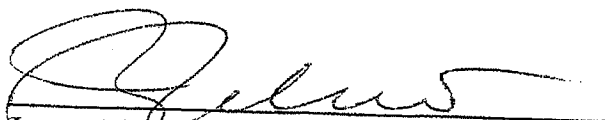
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and 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 30th day of January, 2013.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

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