



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 637705 §
issued to BRANDYN LESLIE LOUGHMILLER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BRANDYN LESLIE LOUGHMILLER, Registered Nurse License Number 637705, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(2)&(10)(effective 9/1/2003), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 22, 2013.

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(s).
- 2. Respondent waived informal proceedings, 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 a Baccalaureate Degree in Nursing from Baylor University Dallas, Texas, on December 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on February 11, 1997.
- 5. Respondent's nursing employment history includes:

1/1997 - 4/2002	Registered Nurse	Presbyterian Hospital of Dallas Dallas, Texas
4/2002 - 4/2003	Registered Nurse	Cross Country Travcorps

Boca Raton, Florida

10/2003 - 9/2005

Registered Nurse

TPF Nursing Agency
New York, New York

1/2006 - present

Registered Nurse

All about Staffing
Irving, Texas

6. On or about December 15, 2003, Respondent submitted an Online Renewal Document for Registered Nurses and Registered Nurses with Advanced Practice Authorization to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the truth of the following statement:

"Since issuance of your last renewal, have you plead guilty (including no contest plea), been found guilty or convicted of any felony or misdemeanor other than a minor traffic violation? (Note: DWI and DUI, including first offenses, are not considered minor traffic violations.)"

Respondent failed to disclose the following:

On or about December 7, 2000, Respondent was arrested by the Santa Barbara Sheriff's Office, California, for DRIVING UNDER THE INFLUENCE OF ALCOHOL/DRUGS and DRIVING UNDER THE INFLUENCE OF ALCOHOL/0.08 PERCENT. Respondent entered a plea of No Contest and was convicted of the aforementioned charge and received probation and a fine.

On or about December 21, 2002, Respondent was arrested by the New York Police Department, New York, for EFO/OP MV INTOXICATED - 2ND OFFENSE. On or about June 11, 2003, Respondent entered a plea of Guilty and was convicted of VTL 1192.1 OPERATING MOTOR VEHICLE IMPAIRED BY ALCOHOL, a misdemeanor offense committed in the Criminal Court of the City of New York, under Docket No. 2002NY089021. As a result of the plea, Respondent was ordered to pay a fine, court costs and license was suspended for ninety (90) days.

7. In response to Finding of Fact Number Six (6), Respondent states she flew to California directly after completing her assigned night shift. Unfortunately by the end of the day, she had not slept in 48 hours, and made a bad decision that led to the event at issue. She pled no contest and received a probated sentence and was assessed a fine, both of which she fully satisfied. In 2002 she was living in New York City and received a citation for an infraction of VTL1192.1. She was not driving the car the day of the incident but was a passenger in the vehicle and was charged with a lesser offense. She acknowledges the charge and pled no contest to this infraction. She is aware that because of her carelessness, she unintentionally provided the Board inaccurate information. In December of 2003, while

completing the online renewal, she inadvertently selected "NO" as the answering option with no intent to deceive or mislead the Board.

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(s) of 22 TEX. ADMIN. CODE §217.12(1)&(23)(effective 11/1/2003).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2)&(10)(effective 9/1/2003), Texas Occupations Code, to take disciplinary action against, Registered Nurse License Number 637705, heretofore issued to BRANDYN LESLIE LOUGHMILLER, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of a REMEDIAL EDUCATION AND 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, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are

encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) 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) 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.texas.gov/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty

(\$250) dollars. 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.

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

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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 violation(s) 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 16 day of MAY, 2013.

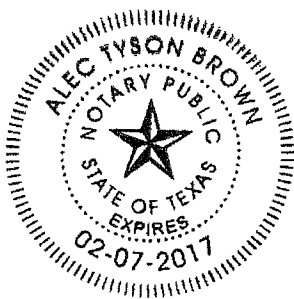
Brandyn Loughmiller
BRANDYN LESLIE LOUGHMILLER, Respondent

Sworn to and subscribed before me this 16 day of May, 2013.

SEAL

Alec Brown

Notary Public in and for the State of Texas



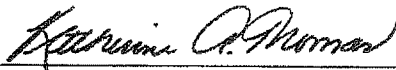
Approved as to form and substance.

Maria R. Ganson
MARIA R. GANSON, Attorney for Respondent

Signed this 17th day of May, 2013

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 16th day of May, 2013, by BRANDYN LESLIE LOUGHMILLER, Registered Nurse License Number 637705, and said Order is final.

Effective this 22nd day of May, 2013.



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