



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

In the Matter of Registered Nurse           §   BEFORE THE TEXAS  
License Number 734011,                       §   BOARD OF NURSING  
Issued to FRED JASON BEAM               §   ELIGIBILITY & DISCIPLINARY  
  §   COMMITTEE

**NUNC PRO TUNC ORDER OF THE BOARD**

TO:           Fred Jason Beam  
               13907 Montfort Dr., #1945  
               Dallas, TX 75240

On June 11, 2013, an Order for Fred Jason Beam was entered by the Eligibility & Disciplinary Committee of the Texas Board of Nursing (Committee). However, the Order contained a typographical error, in that it omitted the date of the public meeting from page 1 of the Order. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Board, after review and due consideration of the record and the facts therein, invalidates the incorrect Order for Fred Jason Beam that omits the date of the Committee's public meeting and enters the corrected version of the Order, which reflects the date of the public meeting. Mr. Beam received due process regarding his license; therefore, his rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Order is hereby approved and entered on the dates set forth below.

Order effective June 11, 2013.  
Entered this 12th day of November, 2013.

TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*  
KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR, ON BEHALF OF THE BOARD

IN THE MATTER OF	§	BEFORE THE TEXAS
PERMANENT REGISTERED NURSE	§	BOARD OF NURSING
LICENSE NUMBER 734011	§	
ISSUED TO	§	ELIGIBILITY AND
FRED JASON BEAM	§	DISCIPLINARY COMMITTEE

**ORDER OF THE BOARD**

TO: FRED JASON BEAM  
13907 MONTFORT DR. #1945  
DALLAS, TX 75240

During open meeting held in Austin, Texas, on June 11, 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 734011, previously issued to FRED JASON BEAM, 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 11th day of June, 2013.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed April 8, 2013.

Re: , Permanent Registered Nurse License Number 734011  
& Permanent Vocational Nurse License Number 0  
Issued to FRED JASON BEAM  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of June, 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

FRED JASON BEAM  
13907 MONTFORT DR. #1945  
DALLAS, TX 75240

Via USPS First Class Mail

FRED JASON BEAM  
13907 MONTFORT DR. #1945  
DALLAS, TX 75240

BY:



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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 734011	§	
Issued to FRED JASON BEAM,	§	
Respondent	§	BOARD OF NURSING

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, FRED JASON BEAM, is a Registered Nurse holding License Number 734011, 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 April 8, 2012, while working as a Agency RN with Medical Staffing Network, staffed through Atrium Medical Center, Corinth, Texas, Respondent withdrew 2 mg Dilaudid from the Medication Dispensing System at 7:49 am, 10:52 am, 14:46 pm and 17:57 pm for Patient Medical Record Number 100003019, but failed to completely and accurately document and/or administer the medication to the patient. Respondent's conduct was likely to injure patients in that subsequent care givers would rely on his documentation to further medicate the patient which could result in an overdose and placed the hospital in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substance 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), (1)(C) & (1)(D), and 22 TEX. ADMIN. CODE § 217.12(1)(A), (1)(B), (1)(C) & (6)(G).

**CHARGE II.**

On or about April 8, 2012, while working as a Agency RN with Medical Staffing Network, staffed through Atrium Medical Center, Corinth, Texas, Respondent misappropriated Dilaudid or failed to take precautions to prevent the misappropriation of Dilaudid from the facility and the patients thereof. Respondent's conduct defrauded the facility and the patients thereof of the cost of the medications.

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) and 22 TEX. ADMIN. CODE § 217.12(1)(A), (1)(B), (1)(C) & (6)(G).

### CHARGE III.

On or about December 5, 2012, Respondent was arrested by the Garland Police Department, Garland, Texas, for AGGRAVATED ASSAULT/FAMILY/HOUSE W/WEAPON a 2ND DEGREE FELONY. Respondent's conduct was likely to injure patients or the public.

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)&(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](http://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, for Fraud, Theft and Deception, which can be found at the Board's website, [www.bon.texas.gov](http://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](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

Filed this 8<sup>th</sup> day of April, 2013.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300  
Jena Abel, Assistant General Counsel

State Bar No. 24036103  
Lance Robert Brenton, Assistant General Counsel  
State Bar No. 24066924  
John R. Griffith, Assistant General Counsel  
State Bar No. 24079751  
Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847  
Nikki Hopkins, Assistant General Counsel  
State Bar No. 24052269  
John F. Legris, Assistant General Counsel  
State Bar No. 00785533  
TEXAS BOARD OF NURSING  
333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-6811  
F: (512) 305-8101 or (512)305-7401

D/2012.06.19

IN THE MATTER OF  
PERMANENT REGISTERED NURSE  
LICENSE NUMBER 734011  
ISSUED TO  
FRED JASON BEAM

§  
§  
§  
§  
§

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.  
*Stephanie C. Williams*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: FRED JASON BEAM  
13907 MONTFORT DR. #1945  
DALLAS, TX 75240

During open meeting held in Austin, Texas, on , 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.

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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



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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 11th day of June, 2013.

TEXAS BOARD OF NURSING



BY:

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

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Via USPS Certified Mail, Return Receipt Requested

FRED JASON BEAM  
13907 MONTFORT DR. #1945  
DALLAS, TX 75240

Via USPS First Class Mail

FRED JASON BEAM  
13907 MONTFORT DR. #1945  
DALLAS, TX 75240

BY:



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

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Permanent Registered Nurse	§	
License Number 734011	§	
Issued to FRED JASON BEAM,	§	
Respondent	§	BOARD OF NURSING

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Filed this 8<sup>th</sup> day of April, 2013.

TEXAS BOARD OF NURSING

  
James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300  
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John R. Griffith, Assistant General Counsel  
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D/2012.06.19