

IN THE MATTER OF  
PERMANENT REGISTERED NURSE  
LICENSE NUMBER 764423  
ISSUED TO  
ANNA LEAH BAGLEY

§  
§  
§  
§  
§

BEFORE THE TEXAS  
BOARD OF NURSING  
  
ELIGIBILITY AND  
DISCIPLINARY COMMITTEE



*Patricia A. Plummer*  
Executive Director of the Board

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.

**ORDER OF THE BOARD**

TO: ANNA LEAH BAGLEY  
9225 TURTLE PASS  
FT WORTH, TX 76177

During open meeting held in Austin, Texas, on **November 12, 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 764423, previously issued to ANNA LEAH BAGLEY, 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 12th day of November, 2013.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed July 19, 2013.

Re: , Permanent Registered Nurse License Number 764423  
Issued to ANNA LEAH BAGLEY  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15 day of November, 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

ANNA LEAH BAGLEY  
9225 TURTLE PASS  
FT WORTH, TX 76177

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 764423	§	
Issued to ANNA LEAH BAGLEY,	§	
Respondent	§	BOARD OF NURSING

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANNA LEAH BAGLEY, is a Registered Nurse holding License Number 764423 which is in delinquent 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 December 14, 2011, while employed as a Registered nurse with Plaza Medical Center, Fort Worth, Texas Respondent withdrew Hydromorphone from the Medication Dispensing System for patient medical record number 366134 without valid physicians' orders, as follows:

Date	Patient	Order	Narc Log	MAR	Notes	Waste
12/14/11	366134	None- Order discontinued @ 0738	4mg Hydromorphone @ 0739	0737- 2mg Hydromorphone 0912- 2mg Hydromorphone	0745- c/o pain. Medicated per MAR. 0925- Pain meds for back	None
12/14/11	366134	None- Order discontinued @ 1045	4mg Hydromorphone @ 1046	1046- 2mg Hydromorphone 1237- 2mg Hydromorphone 1517- 2mg Hydromorphone	1046- None 1300- c/o pain. Medicated prior to radiology 1517- None	None

Respondent's conduct was likely to injure the patients, in that the administration of Hydromorphone without a valid physician's order could result in the patient suffering from adverse reactions and was 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)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(4)&(11)(B).

### CHARGE II.

On or about December 14, 2011, while employed as a Registered nurse with Plaza Medical Center, Fort Worth, Texas Respondent withdrew Morphine from the Medication Dispensing System for patient medical record number 366134 in excess dosage/frequency of physicians' orders, as follows:

Date	Patient	Order	Narc Log	MAR	Notes	Waste
12/14/11	366134	Morphine 6mg IV q4h PRN	10mg Morphine @ 1702	1702- 6mg Morphine	1634-c/o pain. Medicated per MAR.	4mg @ 1851
12/14/11	366134	Morphine 6mg IV q4h PRN	10mg Morphine @ 1903	1902- 6mg Morphine	None	4mg @ 1935

Respondent's conduct was likely to injure the patients, in that the administration of Morphine in excess dosage/ frequency physician's order, could result in the patients suffering from adverse reactions, including respiratory depression and was 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)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(4)&(11)(B).

### CHARGE III.

On or about December 17, 2011, through December 21, 2011, while employed as a Registered nurse with Plaza Medical Center, Fort Worth, Texas Respondent withdrew Morphine and Hydromorphone from the Medication Dispensing System for patients, but failed to document, or accurately document that administration of the medication in the patients' Medication Administration Records and/or Nurse's Notes, as follows:

Date	Patient	Order	Narc Log	MAR	Notes	Waste
12/17/11	376442	Hydromorphone 1mg IV q4h PRN	4mg Hydromorphone @ 1226	None	None	None
12/21/11	370058	Morphine 2-4mg IV q2h PRN	20mg Morphine @1757	None	None	16mg @2029

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)(D), and 217.12(4)&(11)(B).

#### CHARGE IV.

On or about December 17, 2011, through December 21, 2011, while employed as a Registered nurse with Plaza Medical Center, Fort Worth, Texas Respondent withdrew Morphine, Hydromorphone, and Roxanol from the Medication Dispensing System for patients, but failed follow the facility's policy and procedure for the wastage of any of the unused portions of the medications, as follows:

Date	Patient	Order	Narc Log	MAR	Notes	Waste
12/17/11	376442	Hydromorphone 1mg IV q4h PRN	4mg Hydromorphone @ 1226	None	None	None
12/21/11	370058	Morphine 2-4mg IV q2h PRN	20mg Morphine @ 1757	None	None	16mg @ 2029
12/21/11	382528	Roxanol 0.25mL q2h PRN	40mg Roxanol @ 1110	1111 -5mg Roxanol	None	30mg @ 1636

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) and 217.12(4),(10)(C)&(11)(B).

#### CHARGE V.

On or about December 14, 2011, through December 21, 2011, while employed as a Registered nurse with Plaza Medical Center, Fort Worth, Texas Respondent misappropriated Hydromorphone, Morphine, and Roxanol belonging to the facility and patients thereof, or failed to take the precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of medications, and is a 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), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4),(6)(G),(8),(10)(E)&(11)(B).

#### CHARGE VI.

On or about December 24, 2011, while employed as a Registered Nurse with Plaza Medical Center, Fort Worth, Texas Respondent engaged in the intemperate use of Morphine, Hydromorphone, and Fentanyl, in that she produced a specimen for a drug screen that resulted positive for Morphine, Hydromorphone, and Fentanyl. Possession of Morphine, Hydromorphone, and Fentanyl, without a valid prescription, is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Morphine, Hydromorphone, and Fentanyl by a Registered Nurse, while subject to call or duty, 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 grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(E),(4),(5),(10)(A),(10)(D)&(11)(B).

#### CHARGE VII.

On or about June 6, 2012, Respondent engaged in the intemperate use of Alcohol, in that she produced a specimen for a drug screen, requested by the Texas Peer Assistance Program for Nurses (TPAPN), that resulted positive for Ethyl Glucuronide (EtG) and Ethyl Sulfate (EtS). 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 grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(4),(5),(10)(A)&(10)(D).

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](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, and for Sexual Misconduct, which can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

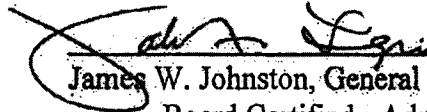
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NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.texas.gov/disciplinaryaction/discp-matrix.html](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

Filed this 19<sup>th</sup> day of July, 2013.

TEXAS BOARD OF NURSING

  
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