



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 821256 §
issued to REGAN AMANDA DARBY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of REGAN AMANDA DARBY, Registered Nurse License Number 821256, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Sections 301.452(b) and 301.453, Texas Occupations Code. Respondent waived further informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 5, 2013, subject to ratification by the Board.

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 further 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 an Associate Degree in Nursing from Angelo State University, San Angelo, Texas, on May 11, 2012. Respondent was licensed to practice nursing in the State of Texas on July 3, 2012.
- 5. Respondent's nursing employment history includes:

7/2012 - 8/2012	Staff Nurse	Shannon Medical Center San Angelo, Texas
-----------------	-------------	---

Respondent's nursing employment history continued:

10/2012 - 5/2012	Staff Nurse	Community Medical Center San Angelo, Texas
6/2012 - Present	ER Nurse	Baylor All Saints Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as a Graduate Registered Nurse, in the Nursing Residency Program, with Shannon Medical Center, San Angelo, Texas, and had been in this position for one (1) month.
7. Respondent's residency nursing assignment with Shannon Medical Center, San Angelo, Texas, was for educational and training purposes. Respondent did not have direct patient responsibilities. Respondent was tasked with shadowing experienced nurse preceptors and performing other duties as assigned.
8. On or about August 6, 2012, and August 19, 2012, while employed with Shannon Medical Center, San Angelo, Texas, Respondent left her nursing residency assignment without notifying the appropriate personnel. Respondent returned later each day to clock out.
9. On or about August 8, 2012, through August 19, 2012, while employed with Shannon Medical Center, San Angelo, Texas, Respondent submitted time records for hours that she was not present. Respondent's conduct deprived the facility of unearned wages.
10. In response to Findings of Fact Numbers Eight (8) and Nine (9), Respondent has apologized for her actions and offered to reimburse Shannon Medical Center for any and all unearned salary; however, Shannon Medical Center has declined reimbursement.
11. Respondent had been licensed less than two (2) months at the time of the incidents referenced above. Respondent has admitted her misconduct to Board staff, as well as her former employer. There is no evidence of patient harm due to Respondent's actions.
12. On or about January 17, 2013, in an act of good faith and to show contrition, Respondent successfully completed a Board approved course in sharpening critical thinking skills, which is a common remedial educational requirement of Board orders.
13. On or about February 9, 2013, in an act of good faith and to show contrition, Respondent successfully completed a Board approved course in Texas nursing jurisprudence and ethics, which is a common remedial educational requirement of Board orders.
14. Respondent has presented evidence of successful nursing practice while employed with

Community Medical Center, San Angelo, and Baylor All Saints, Fort Worth, Texas.

15. Respondent had indicated that she intends to pursue a graduate school program outside of nursing. Respondent has also indicated that it is unlikely she will return to nursing.

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 cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 821256, heretofore issued to REGAN AMANDA DARBY.
4. The evidence reviewed may be sufficient to demonstrate violations of the Board Rules, including 22 TEX. ADMIN. CODE §217.12(12), which prohibits leaving a nursing assignment without notifying the appropriate personnel.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

(1) RESPONDENT SHALL pay a monetary fine in the amount of two thousand twenty-eight dollars (\$2,028.00). RESPONDENT SHALL pay this fine within 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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 conditions of said Order, to avoid further disciplinary action in this matter. 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 5 day of November, 2013.

Regan Darby
REGAN AMANDA DARBY, RESPONDENT

Sworn to and subscribed before me this 5th day of November, 2013.



[Signature]
Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]
Tim Weitz, Attorney for Respondent

Signed this 13th day of Nov., 2013.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of November, 2013, by REGAN AMANDA DARBY, Registered Nurse License Number 821256, and said Order is final.

Effective this 10th day of December, 2013.



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