



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 BROOKE DANIELLE RATCLIFF § BEFORE THE TEXAS
Registered Nurse License Number 686088 § BOARD OF NURSING

NUNC PRO TUNC ORDER OF THE BOARD

TO: Brooke Danielle Ratcliff
3664 Heritage Park Dr.
Sachse, TX 75048

On January 14, 2014, an Order for Brooke Danielle Ratcliff was entered by the Texas Board of Nursing. However, the Order contained the incorrect effective date. 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 Brooke Danielle Ratcliff and enters the corrected version of the Order, which contains the correct effective date. Ms. Ratcliff received due process regarding her license; therefore, her 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 January 14, 2014.

Entered this 14th day of February, 2014.

TEXAS BOARD OF NURSING

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 686088 §
issued to BROOKE DANIELLE RATCLIFF §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 686088, issued to BROOKE DANIELLE RATCLIFF, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

- 1. Respondent is currently licensed to practice professional nursing in the State of Texas.
- 2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
- 3. Respondent received a Baccalaureate Degree in Nursing from Mississippi College, Clinton, Mississippi, on December 1, 2001. Respondent was licensed to practice professional nursing in the State of Texas on May 14, 2002.

5. Respondent's complete professional nursing employment history includes:

05/02-09/02	RN	Parkland Hospital Dallas, Texas
10/02-03/04	RN	Methodist Medical Center Dallas, Texas

Respondent's complete professional nursing employment history continued:

04/03-02/06	RN	Digestive Health Associates of Texas Dallas, Texas
03/06-07/11	RN	Old Town Endoscopy Center Dallas, Texas
08/16/11-08/25/11	RN	Women's Speciality Surgery Center of Dallas Dallas, Texas
08/26/11-Present	Unknown	

6. On or about September 26, 2006, Respondent was issued a Remedial Education Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the September 26, 2006, Agreed Order, Findings of Fact, and Conclusions of Law, is incorporated, by reference, as part of this Order.
7. On or about June 25, 2013, Respondent was issued an Agreed Order by the Texas Board of Nursing requiring her to successfully complete the Texas Peer Assistance Program for Nurses. A copy of the June 25, 2013, Agreed order, Findings of Fact, and Conclusions of Law, is incorporated, by reference, as part of this Order.
8. On or about January 14, 2014, Respondent submitted a written statement voluntarily surrendering the right to practice professional nursing in the State of Texas, in lieu of completing the order issued to her on June 25, 2013. A copy of the statement, dated January 14, 2014, is attached and incorporated herein as part of this order.
9. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 686088, heretofore issued to BROOKE DANIELLE RATCLIFF, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 686088, heretofore issued to BROOKE DANIELLE RATCLIFF, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

Effective this 14th day of January, 2014.

TEXAS BOARD OF NURSING

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

1-14-14

To whom it may concern,

My name is Brooke Ratcliff. My RN license # is 686088 and I am currently under TPAPN order by the BON. I have withdrawn from TPAPN and would like to voluntarily surrender my license effective today, January 14, 2014. Please send any further communication to my home address, 3664 Heritage Park Dr, Sachse, TX, 75048, and not my attorney. I am not currently employed so there is no need to contact an employer.

Sincerely,

Brooke D. Ratcliff



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 686088 §
issued to BROOKE DANIELLE RATCLIFF § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BROOKE DANIELLE RATCLIFF, Registered Nurse License Number 686088, 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)(9),(10)&(13) and 301.453, 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 May 1, 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 Mississippi College, Clinton, Mississippi, on December 1, 2001. Respondent was licensed to practice professional nursing in the State of Texas on May 14, 2002.
- 5. Respondent's complete professional nursing employment history includes:

05/02-09/02	RN	Parkland Hospital Dallas, Texas
10/02-03/04	RN	Methodist Medical Center Dallas, Texas

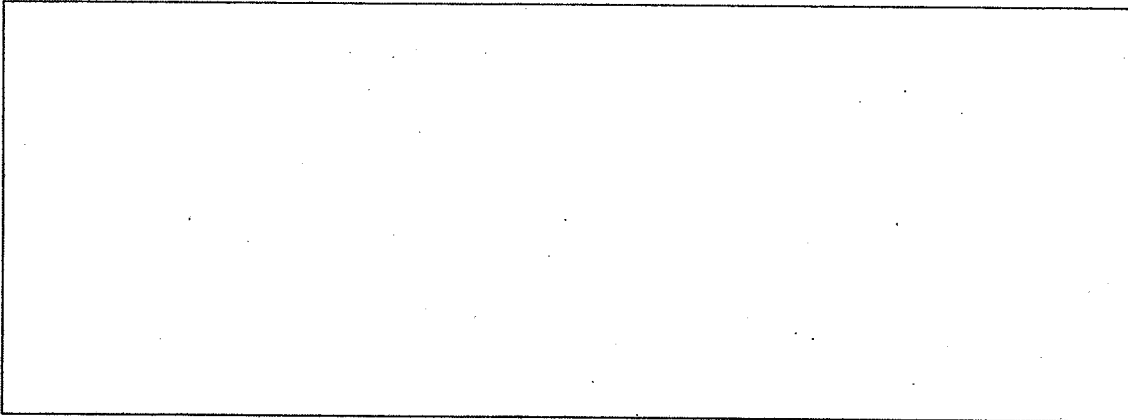
Respondent's complete professional nursing employment history continued:

04/03-02/06	RN	Digestive Health Associates of Texas Dallas, Texas
03/06-07/11	RN	Old Town Endoscopy Center Dallas, Texas
08/16/11-08/25/11	RN	Women's Speciality Surgery Center of Dallas Dallas, Texas
08/26/11-Present	Unknown	

6. On or about September 26, 2006, Respondent was issued a Remedial Education Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the September 26, 2006, Agreed Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as part of this Order.
7. On or about July 2011, while employed as a Registered Nurse with Old Town Endoscopy Center, Dallas, Texas, Respondent withdrew Versed and Fentanyl from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications. 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).
8. On or about July 2011, while employed as a Registered Nurse with Old Town Endoscopy Center, Dallas, Texas, Respondent withdrew Versed and Fentanyl from the medication dispensing system for patients and replaced the liquid medication with saline solution. Respondent's conduct was likely to injure the patients and could have resulted in non-efficacious treatment or the patient suffering from adverse reactions from not receiving the medication ordered.
9. On or about July 2011, while employed as a Registered Nurse with Old Town Endoscopy Center, Dallas, Texas, Respondent misappropriated Versed and Fentanyl belonging to the facility and patients thereof or failed to take precautions to prevent such misappropriation. Additionally, when Respondent was confronted and requested to take a urine drug screen she refused and left the facility. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. On or about August 25, 2011, while employed as a Registered Nurse with Texas Health Women's Specialty Surgery Center, Dallas, Texas, Respondent engaged in the intemperate use of Morphine, Oxycodone, Oxymorphone and Meprobamate in that she submitted a specimen for a drug screen that produced a positive result for Morphine (2766 ng/mL), Oxycodone (583 ng/mL), Oxymorphone (2043 ng/mL) and Meprobamate (306 ng/mL).

Unlawful possession of Morphine, Oxycodone, Oxymorphone and Meprobamate is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Morphine, Oxycodone, Oxymorphone and Meprobamate 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 patients 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.

11.



12. The Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
13. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
14. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder and mental illness.
15. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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 §217.11(1)(A)&(1)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(1)(B), (4),(5),(6)(A)&(6)(G),(8),(10)(A), (10)(B), (10)(C),(10)(D)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9), (10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 686088, heretofore issued to BROOKE DANIELLE RATCLIFF, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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 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 multistate licensure 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.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

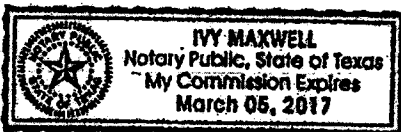
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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 20th day of June, 2013.

Brooke Danielle Ratcliff
BROOKE DANIELLE RATCLIFF, RESPONDENT

Sworn to and subscribed before me this 20th day of June, 2013.

SEAL



Ivy Maxwell
Notary Public in and for the State of TEXAS

Approved as to form and substance.

Craig A. Bernstein
CRAIG A. BERNSTEIN, Attorney for Respondent
CRAIG A. BERNSTEIN

Signed this 24 day of June, 2013

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 20th day of June, 20 13, by BROOKE DANIELLE RATCLIFF, Registered Nurse License Number 686088, and said Order is final.

Entered and effective this 25th day of June, 20 13.



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 686088 § AGREED
issued to BROOKE DANIELLE RATCLIFF § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referen
to as the Board, considered the matter of BROOKE DANIELLE RATCLIFF, Registered Nui...
License Number 686088, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have
violated Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived
representation by counsel, informal conference, notice and hearing, and agreed to the entry of this
Order offered on June 1, 2006, by Katherine A. Thomas, MN, RN, Executive Director.

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.
2. Respondent waived representation by counsel, informal conference, 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 Mississippi College, Clinton, Mississippi, on December 21, 2001. Respondent was licensed to practice professional nursing in the State of Texas on May 14, 2002.
5. Respondent's professional nursing employment history includes:

May 2002 - April 11, 2004

Unknown

April 12, 2004 - January 29, 2006

Registered Nurse
Digestive Health Associates of Texas
Site 5
Dallas, Texas

January 30, 2006 - Present

Registered Nurse
Digestive Health Associates of Texas
Old Town Endoscopy Center
Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Digestive Health Associates of Texas, Dallas, Texas, and had been in this position for one (1) year and four (4) months.
7. On or about August 1, 2005 through March 2, 2006 while employed with Digestive Health Associates of Texas, Dallas, Texas, Respondent practiced as a professional nurse without a valid license. Board records indicate Respondent's license expired on July 31, 2005.

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 violations of Section 301.452(b)(1)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 686088, heretofore issued to BROOKE DANIELLE RATCLIFF, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et*

seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure 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 deliver the wallet-sized license issued to BROOKE DANIELLE RATCLIFF to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. 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) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) RESPONDENT SHALL pay a monetary fine in the amount of Two Hundred Fifty Dollars(\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners 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, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

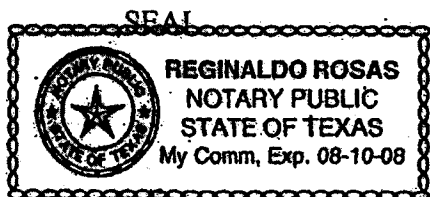
I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19th day of September, 2006

Brooke Danielle Ratcliff
BROOKE DANIELLE RATCLIFF, Respondent

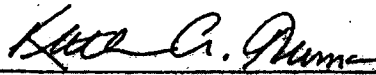
Sworn to and subscribed before me this 19th day of September, 2006.



Reginaldo Rosas
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 19th day of September, 2006, by BROOKE DANIELLE RATCLIFF, Registered Nurse License Number 686088, and said Order is final.

Effective this 26th day of September, 2006.


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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 686088 §
issued to BROOKE DANIELLE RATCLIFF §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 686088, issued to BROOKE DANIELLE RATCLIFF, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Baccalaureate Degree in Nursing from Mississippi College, Clinton, Mississippi, on December 1, 2001. Respondent was licensed to practice professional nursing in the State of Texas on May 14, 2002.
5. Respondent's complete professional nursing employment history includes:

05/02-09/02	RN	Parkland Hospital Dallas, Texas
10/02-03/04	RN	Methodist Medical Center Dallas, Texas

Respondent's complete professional nursing employment history continued:

04/03-02/06	RN	Digestive Health Associates of Texas Dallas, Texas
03/06-07/11	RN	Old Town Endoscopy Center Dallas, Texas
08/16/11-08/25/11	RN	Women's Speciality Surgery Center of Dallas Dallas, Texas
08/26/11-Present	Unknown	

6. On or about September 26, 2006, Respondent was issued a Remedial Education Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the September 26, 2006, Agreed Order, Findings of Fact, and Conclusions of Law, is incorporated, by reference, as part of this Order.
7. On or about June 25, 2013, Respondent was issued an Agreed Order by the Texas Board of Nursing requiring her to successfully complete the Texas Peer Assistance Program for Nurses. A copy of the June 25, 2013, Agreed order, Findings of Fact, and Conclusions of Law, is incorporated, by reference, as part of this Order.
8. On or about January 14, 2014, Respondent submitted a written statement voluntarily surrendering the right to practice professional nursing in the State of Texas, in lieu of completing the order issued to her on June 25, 2013. A Copy of the statement, dated January 14, 2014, is attached an incorporated herein as part of this order.
9. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 686088, heretofore issued to BROOKE DANIELLE RATCLIFF, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 686088, heretofore issued to BROOKE DANIELLE RATCLIFF, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

Effective this 17th day of January, 2014.

TEXAS BOARD OF NURSING

By:



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

1-14-14

To whom it may concern,

My name is Brooke Ratchliff. My RN license # is 686088 and I am currently under TPAPN order by the BON. I have withdrawn from TPAPN and would like to voluntarily surrender my license effective today, January 14, 2014. Please send any further communication to my home address, 3664 Heritage Park Dr, Sachse, TX, 75048, and not my attorney. I am not currently employed so there is no need to contact an employer.

Sincerely,

Brooke D. Ratchliff



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 686088 §
issued to BROOKE DANIELLE RATCLIFF § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BROOKE DANIELLE RATCLIFF, Registered Nurse License Number 686088, 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)(9),(10)&(13) and 301.453, 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 May 1, 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 Mississippi College, Clinton, Mississippi, on December 1, 2001. Respondent was licensed to practice professional nursing in the State of Texas on May 14, 2002.
5. Respondent's complete professional nursing employment history includes:

05/02-09/02	RN	Parkland Hospital Dallas, Texas
10/02-03/04	RN	Methodist Medical Center Dallas, Texas

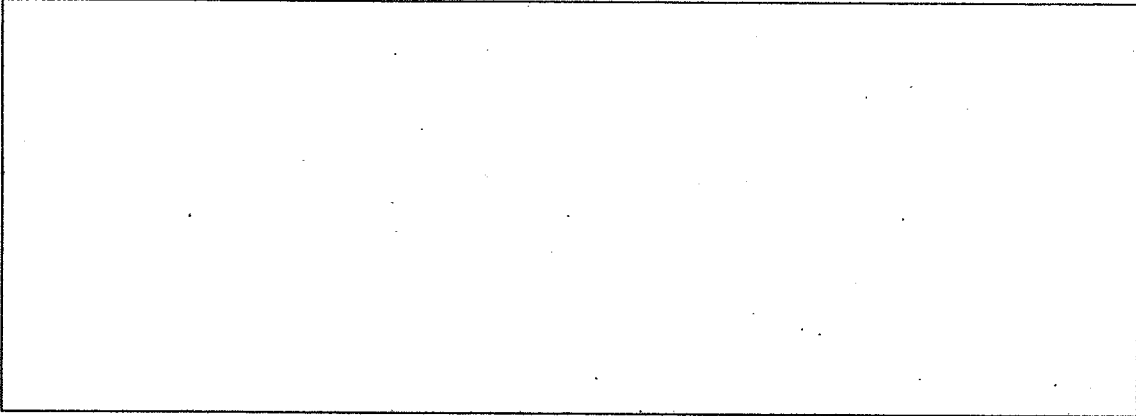
Respondent's complete professional nursing employment history continued:

04/03-02/06	RN	Digestive Health Associates of Texas Dallas, Texas
03/06-07/11	RN	Old Town Endoscopy Center Dallas, Texas
08/16/11-08/25/11	RN	Women's Speciality Surgery Center of Dallas Dallas, Texas
08/26/11-Present	Unknown	

6. On or about September 26, 2006, Respondent was issued a Remedial Education Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the September 26, 2006, Agreed Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as part of this Order.
7. On or about July 2011, while employed as a Registered Nurse with Old Town Endoscopy Center, Dallas, Texas, Respondent withdrew Versed and Fentanyl from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications. 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).
8. On or about July 2011, while employed as a Registered Nurse with Old Town Endoscopy Center, Dallas, Texas, Respondent withdrew Versed and Fentanyl from the medication dispensing system for patients and replaced the liquid medication with saline solution. Respondent's conduct was likely to injure the patients and could have resulted in non-efficacious treatment or the patient suffering from adverse reactions from not receiving the medication ordered.
9. On or about July 2011, while employed as a Registered Nurse with Old Town Endoscopy Center, Dallas, Texas, Respondent misappropriated Versed and Fentanyl belonging to the facility and patients thereof or failed to take precautions to prevent such misappropriation. Additionally, when Respondent was confronted and requested to take a urine drug screen she refused and left the facility. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. On or about August 25, 2011, while employed as a Registered Nurse with Texas Health Women's Specialty Surgery Center, Dallas, Texas, Respondent engaged in the intemperate use of Morphine, Oxycodone, Oxymorphone and Meprobamate in that she submitted a specimen for a drug screen that produced a positive result for Morphine (2766 ng/mL), Oxycodone (583 ng/mL), Oxymorphone (2043 ng/mL) and Meprobamate (306 ng/mL).

Unlawful possession of Morphine, Oxycodone, Oxymorphone and Meprobamate is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Morphine, Oxycodone, Oxymorphone and Meprobamate 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 patients 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.

11.



12. The Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
13. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
14. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder and mental illness.
15. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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 §217.11(1)(A)&(1)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(1)(B), (4),(5),(6)(A)&(6)(G),(8),(10)(A), (10)(B), (10)(C),(10)(D)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9), (10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 686088, heretofore issued to BROOKE DANIELLE RATCLIFF, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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 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 multistate licensure 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.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

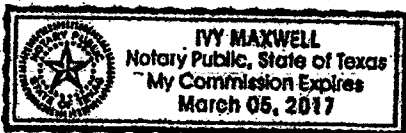
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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 20th day of June, 2013.

Brooke Danielle Ratcliff
BROOKE DANIELLE RATCLIFF, RESPONDENT

Sworn to and subscribed before me this 20th day of June, 2013.

SEAL



Ivy Maxwell
Notary Public in and for the State of TEXAS

Approved as to form and substance.

Craig A. Bernstein
CRAIG A. BERNSTEIN, Attorney for Respondent
W. Davis

Signed this 24 day of June, 2013

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 20th day of June, 20 13, by BROOKE DANIELLE RATCLIFF, Registered Nurse License Number 686088, and said Order is final.

Entered and effective this 25th day of June, 20 13.



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 686088 § AGREED
issued to BROOKE DANIELLE RATCLIFF § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter refer to as the Board, considered the matter of BROOKE DANIELLE RATCLIFF, Registered Nurse License Number 686088, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on June 1, 2006, by Katherine A. Thomas, MN, RN, Executive Director.

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.
2. Respondent waived representation by counsel, informal conference, 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 Mississippi College, Clinton, Mississippi, on December 21, 2001. Respondent was licensed to practice professional nursing in the State of Texas on May 14, 2002.
5. Respondent's professional nursing employment history includes:

May 2002 - April 11, 2004

Unknown

April 12, 2004 - January 29, 2006

Registered Nurse
Digestive Health Associates of Texas
Site 5
Dallas, Texas

January 30, 2006 - Present

Registered Nurse
Digestive Health Associates of Texas
Old Town Endoscopy Center
Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Digestive Health Associates of Texas, Dallas, Texas, and had been in this position for one (1) year and four (4) months.
7. On or about August 1, 2005 through March 2, 2006 while employed with Digestive Health Associates of Texas, Dallas, Texas, Respondent practiced as a professional nurse without a valid license. Board records indicate Respondent's license expired on July 31, 2005.

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 violations of Section 301.452(b)(1)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number ~~686088~~, heretofore issued to BROOKE DANIELLE RATCLIFF, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 et

seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure 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 deliver the wallet-sized license issued to BROOKE DANIELLE RATCLIFF to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. 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) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) RESPONDENT SHALL pay a monetary fine in the amount of Two Hundred Fifty Dollars(\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners 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, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

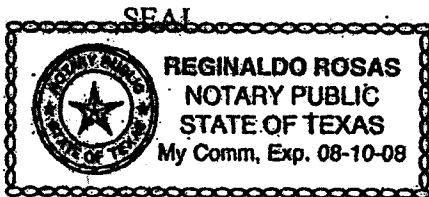
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19th day of September, 2006
Brooke Danielle Ratcliff
BROOKE DANIELLE RATCLIFF, Respondent

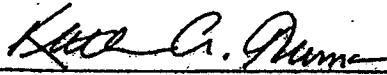
Sworn to and subscribed before me this 19th day of September, 2006.



Reginaldo Rosas
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 19th day of September, 2006, by BROOKE DANIELLE RATCLIFF, Registered Nurse License Number 686088, and said Order is final.

Effective this 26th day of September, 2006.



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