



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.  
*Patricia A. Plummer*  
Executive Director of the Board

In the Matter of  
Permanent Registered Nurse  
License Number 745487 &  
Issued to EMILY CARA HUNTLEY,  
Respondent

§ BEFORE THE TEXAS  
§  
§  
§  
§ BOARD OF NURSING

**ORDER OF TEMPORARY SUSPENSION**

TO: Emily Cara Huntley  
4401 S Coulter #2121  
Amarillo, TX 79109

A public meeting of the Texas Board of Nursing was held on May 13, 2014 at 333 Guadalupe. Room 3-460, Austin, Texas, in which the Temporary Suspension of Permanent Registered Nurse License Number 745487, issued to EMILY CARA HUNTLEY was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of EMILY CARA HUNTLEY and whether her continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charge is substantiated:

CHARGE:

On or about March 7, 2014, Respondent became noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on March 20, 2013. Noncompliance is the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) participation agreement in that she failed to keep TPAPN updated with her titration schedules and prescription medications. Stipulation Number Three (3) of the Agreed Order dated March 20, 2013, states:

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

On or about March 7, 2014, Respondent was dismissed from TPAPN, and her case was referred to the Board.

The Texas Board of Nursing further finds that, given the nature of the charge concerning her fitness to practice, the continued practice of nursing by EMILY CARA HUNTLEY constitutes a continuing and imminent threat to public welfare and that the temporary suspension of, Permanent Registered Nurse License Number 745487, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that, Permanent Registered Nurse License Number 745487, issued to EMILY CARA HUNTLEY, to practice nursing in the State of Texas be, and the same is/are, hereby SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61<sup>st</sup> day following the date of the entry of this order.

Entered this 13<sup>th</sup> day of May, 2014.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR

In the Matter of	§	BEFORE THE TEXAS
Permanent Registered Nurse	§	
License Number 745487 &	§	
Issued to EMILY CARA HUNTLEY,	§	
Respondent	§	BOARD OF NURSING

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, EMILY CARA HUNTLEY, is a Registered Nurse holding License Number 745487 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 March 7, 2014, Respondent became noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on March 20, 2013. Noncompliance is the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) participation agreement in that she failed to keep TPAPN updated with her titration schedules and prescription medications. Stipulation Number Three (3) of the Agreed Order dated March 20, 2013, states:

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

On or about March 7, 2014, Respondent was dismissed from TPAPN, and her case was referred to the Board.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9) & (11)(B).

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 Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, 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).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order dated March 20, 2013.

Filed this 13<sup>th</sup> day of May, 2014.

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

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State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

John Vanderford, Assistant General Counsel  
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333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-6811  
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Attachments: Order of the Board dated March 20, 2013



I hereby certify this to be a correct, accurate, and true copy of the document which is on file or is of record in the office of the Texas Board of Nursing.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse License Number 745487 § AGREED  
issued to EMILY CARA HUNTLEY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of EMILY CARA HUNTLEY, Registered Nurse License Number 745487, 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)(10)&(13) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, 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 7, 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.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.
4. Respondent received a Baccalaureate Degree in Nursing from West Texas A&M University, Canyon, Texas, on May 12, 2007. Respondent was licensed to practice professional nursing in the State of Texas on July 31, 2007.
5. Respondent's professional nursing employment history includes:

08/07 - 08/09	RN	The Children's Hospital at Northwest Texas Healthcare System Amarillo, TX
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Respondent's professional nursing employment history (continued):

09/09 - 11/10	RN	Kidney Center of Lubbock Lubbock, TX
12/10 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with The Children's Hospital at Northwest Texas Healthcare System, Amarillo, Texas, and had been in this position for approximately two (2) years.
7. On or about August 15, 2009, while employed as a Registered Nurse with The Children's Hospital at Northwest Texas Healthcare System, Amarillo, Texas, Respondent withdrew medications for patients, but failed to document, or accurately document, the administration of the medications, including the signs, symptoms and responses to the medications administered in the patients' Medication Administration Record or Nurses Notes. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.
8. On or about August 15, 2009, while employed as a Registered Nurse with The Children's Hospital at Northwest Texas Healthcare System, Amarillo, Texas, Respondent withdrew medications for patients, but failed to properly waste unused portions, if any, of the medication. 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 Substance Act).
9. On or about August 15, 2009, while employed as a Registered Nurse with The Children's Hospital at Northwest Texas Healthcare System, Amarillo, Texas, Respondent misappropriated, or failed to take precautions to prevent such misappropriation of medications. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.
10. In response to Findings of Fact Numbers Seven (7) through Nine (9), Respondent admits to the conduct and states she was experiencing depression due to family stressors. However, Respondent states that she never failed to give patients their medications. After realizing the impact of her actions, Respondent states she entered into the Managed Care Center for Addictive and Other Disorders in Lubbock, Texas, on June 3, 2010. Respondent states she completed thirty (30) days of in-patient rehabilitation while working a twelve step program and participating in extensive individual and group counseling. Respondent states June 3, 2010 as her date of sobriety.

11. On or about November 18, 2010, while employed as a Registered Nurse with Kidney Center of Lubbock, Lubbock, Texas, Respondent attempted to obtain Hydrocodone 10/500 from the CVS Pharmacy, Lubbock, Texas, through the use of a forged prescription bearing the name of Larry A. Warmoth, M.D., and the Drug Enforcement Agency (DEA) number assigned to Dr. Warmoth. Respondent's conduct was likely to deceive the pharmacy and possession of Hydrocodone through use of a forged prescription is prohibited by Chapters 481 of the Texas Health and Safety Code (Controlled Substances Act).
12. In response to Finding of Fact Number Eleven (11), Respondent admits to the conduct and states she regrets entering back into nursing with such little sober time. Respondent states she lived in Supportive Housing for the recommended period of time while working the twelve step program with her sponsor. Respondent states she completed the twelve steps and maintained daily meeting attendance for almost two (2) years. Respondent states she sees a counselor periodically to deal with grief, addiction, and life issues as they arise. Respondent expresses remorse for her actions.
13. The Respondent's conduct as described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
14. Formal Charges were filed on January 7, 2013.
15. Formal Charges were mailed to Respondent on January 8, 2013.
16. Respondent's conduct as described in the preceding Findings of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
17. 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 violations of 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C)&(D)(iv) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(6)(A),(G)&(H),(8),(10)(B),(C)&(E)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 745487, heretofore issued to EMILY CARA HUNTLEY, up to, and including, revocation of Respondent's license 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, 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 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 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 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 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 waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations 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 to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19<sup>th</sup> day of March, 2013.

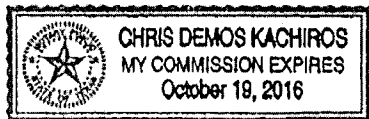
Emily Cara Huntley  
EMILY CARA HUNTLEY, RESPONDENT

Sworn to and subscribed before me this 19 day of March, 2013.

SEAL


Chris Machinos

Notary Public in and for the State of Texas



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 19th day of March, 2013, by EMILY CARA HUNTLEY, Registered Nurse License Number 745487, and said Order is final.

Entered and effective this 20th day of March, 2013.



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