



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 780707 §
issued to MELISSA ANN NUGENT §

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 780707, issued to MELISSA ANN NUGENT, 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 Louisiana College, Pineville, Louisiana, on May 20, 2000. Respondent was licensed to practice professional nursing in the State of Texas on February 2, 2010.
4. Respondent's complete nursing employment history is unknown.
5. On or about January 15, 2014, Respondent's registered nurse license was issued a Probated Suspension by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. A copy of the Consent Order dated January 15, 2014, is attached and incorporated, by reference, as part of this Order. On or about April 21, 2014, the Voluntary Surrender of Respondent's registered nurse license was accepted by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. A copy of the Voluntary Surrender of License is attached and incorporated, by reference, as part of this Order.

6. On May 5, 2014, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated May 2, 2014, is attached and incorporated herein by reference as part of this Order.
7. 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.
8. 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 cause pursuant to Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 780707, heretofore issued to MELISSA ANN NUGENT, 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 780707, heretofore issued to MELISSA ANN NUGENT, to practice nursing in the State of Texas, is/are 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/s is/are 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 5th day of May, 2014.

TEXAS BOARD OF NURSING

By:




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

5-2-14

To whom it may concern / Paul Longway

I, Melissa Dugent surrender
my Texas Nursing license RN #
780707. I surrendered my Louisiana
Nursing license on 4-17-14.
RN # 101118. Thank you,

Melissa Dugent


I will try to get the signed
submitted before I mail it, I got
two witnesses.

Angie McBride
Michelle D. [Signature]

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
MELISSA DESOTO NUGENT
3105 DAWKINS STREET
ALEXANDRIA, LA 71301
Respondent

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RN101118
CONSENT ORDER

TERMS AGREED TO BY LICENSEE

I, MELISSA DESOTO NUGENT, (Respondent), voluntarily agree to sign and have witnessed terms of agreement for the purpose of avoiding formal administrative proceedings with the Louisiana State Board of Nursing.

I, MELISSA DESOTO NUGENT, do say that I freely, knowingly and voluntarily enter into this agreement. I understand that I have a right to a hearing in this matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into this agreement.

I acknowledge that the Louisiana State Board of Nursing makes the following FINDINGS OF FACT:

1. On or about December 1, 2000, Respondent was licensed by examination to practice as a Registered Nurse in Louisiana.
2. On or about June 14, 2013, Respondent submitted a specimen for a pre-employment drug screen and was hired by HealthSouth Corporation on June 17, 2013 contingent upon passing the drug screen. On June 27, 2013, the drug screen report was issued and showed a positive result for Methamphetamine. On July 1, 2013, Respondent was terminated from employment due to the positive drug screen.

To facilitate submission of this Consent Agreement, I do not offer any defense to the FINDINGS OF FACTS. I agree that the Board has jurisdiction of this matter pursuant to L.R.S. 37:911, et seq. I admit to all of the above facts and I agree that there is sufficient evidence upon which to predicate a finding of violation of the provisions of L.R.S. 37:921. I agree that the Board may treat the allegations of fact and law as true, which finding shall have the same force and effect as if evidence and argument were presented in support of the allegations and, based thereon, the Board found the allegations to be true. I specifically waive my right to contest these findings in any subsequent proceedings before the Board. I understand that this Consent Order shall constitute a public record and is disciplinary action by the Board. I understand that this will be reported to National Practitioner Data Bank (NPDB) as 99, Other: Tested positive for a controlled substance on a pre-employment drug screen.

NPDB Narrative: Respondent's RN license was suspended with stay and probated for a minimum of three (3) years with stipulations after RN tested positive for a controlled substance on a pre-employment drug screen.

I further acknowledge and attest that I have fully cooperated with the Louisiana State Board of Nursing in resolving this matter and intend to comply with all stipulations of this Order.

In order to avoid further administrative proceedings, I hereby consent to accept and abide by the following ORDER of the Board: The license of this registrant is suspended, with a stay of the said suspension, and that the license is probated for a minimum of three (3) years, with the following stipulations:

1. Within 60 days submit to inpatient evaluation, at Respondent's expense, at a Board-recognized evaluation center which shall include psychiatric, psychological, and substance abuse evaluations and testing as deemed appropriate by the evaluators based on Respondent's history. Shall authorize and cause a written report of the said evaluation to be submitted to the Board; Shall include the entire

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
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Respondent

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RN#01118
CONSENT ORDER

TERMS AGREED TO BY LICENSEE

- evaluation report including diagnosis, course of treatment, prescribed or recommended treatment, prognosis, and professional opinion as to Respondent's capability of practicing nursing with reasonable skill and safety to patients.
2. Shall submit all pages of this agreement to each evaluator prior to the start of the evaluations in order for the evaluation to be deemed valid.
 3. Respondent hereby consents to the release of the following by board staff to Respondent's above-described evaluators: Any and all information, documents and other records related to conditions, diagnoses and matters described in this document.
 4. Immediately submit to all recommendations thereafter of the therapist, physician, or treatment team, and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals. If monitoring is recommended, license suspension with stay and probation shall be required and Respondent must work and practice nursing in the state of Louisiana during the monitoring time period. This stipulation shall continue until Respondent is fully discharged by the respective professionals and until approved by the Board staff.
 5. If the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with Board or Board staff. Must demonstrate to the satisfaction of the Board that Respondent poses no danger to the practice of nursing or to the public and that Respondent can safely and competently perform the duties of a Registered Nurse. If the Board approves continued licensure, the probation period, conditions or stipulations, may be revised to ensure that patients and the public are protected.
 6. If diagnosed with chemical dependency or abuse of alcohol and/or other mood-altering substances that has compromised or may compromise Respondent's capacity to practice nursing with skill and safety, must immediately sign Recovering Nurse Program (RNP) agreement and cause to have submitted evidence of compliance with all program requirements for a minimum of 3 years. License suspension with stay and probation shall be extended to run concurrently, on the same dates, with RNP participation.
 7. Shall remain free of alcohol and all un-prescribed mood altering substances. Any mood altering, addictive, or dependency-inducing substance must be currently prescribed for a bona fide medical condition by a physician (or other qualified treating prescriber(s)) knowledgeable about the individual's history and the information underlying the Board's concerns. All prescribed drugs must be verified in writing to the Board on a specified form by the prescribing physicians/qualified prescriber(s) within five (5) days from the effective date of this agreement/order and within five (5) days from the date(s) of any new prescriptions. The Board reserves the right to have a LSBN recognized addictionist review and approve the prescriptions for continued nursing practice.
 8. Shall maintain complete and total abstinence from any and all potentially addictive chemicals whether over-the-counter, scheduled or unscheduled (including but not limited to alcohol, alcohol containing products, marijuana, tranquilizers, sedatives, stimulants, narcotics, opioids including ultram (tramadol), nubain, soporifics, androgenic steroids, or any other addictive drug) except as prescribed for a bona fide medical condition by a healthcare provider who is knowledgeable in, and aware of Respondent's history with the Board.
 9. Shall voluntarily submit to random and observed drug screens, for a minimum of 24 times a year, inclusive of bodily fluids, breath analysis, hair analysis, or any other procedure as may be directed by the Board and/or employer. If selected for a screen, failure to provide sufficient specimen (bodily fluids, hair,


Initials

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BATON ROUGE, LOUISIANA

IN THE MATTER OF:
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Respondent

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RN101118
CONSENT ORDER

TERMS AGREED TO BY LICENSEE

- nails etc.) for analysis or failure to test may be considered a positive screen. Random drug screens will be a minimum of 24 times a year. It is the Respondent's responsibility to assure that lab personnel observe all urine specimen collections. If urine specimen collection is not observed the results are invalid. The Respondent agrees to call the toll free number or check the testing notification via computer daily. Compliance with checking daily is monitored and failure to check may result in additional screens. It is the Respondent's responsibility to maintain a current account with testing administrator. If Respondent misses a test due to a suspended account or fails to test on the day of notification it will be considered a positive screen and appropriate action will be taken including but not limited to, further evaluation, additional testing, and suspension of license. The results of any such testing will be reported directly to the Board. Any and all such testing shall be performed at Respondent's expense. Additional screenings may be requested by Board staff. Written reports of same shall be submitted to the Board.
10. Shall avoid exposure to anything that will cause a urine drug test to be positive. In that regard, Respondent shall avoid such items as "hemp oil" "coca tea" and poppy seeds (which can be found in curry sauces, breads, salad dressings, and in or on other foods). Respondent agrees to not use ethyl alcohol in any form (including N.A. or alcohol- "free" wine or beer, over-the-counter drugs containing alcohol (cough syrup, Nyquil or other similar OTC drugs or supplements), mouthwash or other hygiene products containing ethanol, foods containing ethanol (desserts, vanilla extract, etc.), communion wine, or any other form of ethyl alcohol). Intentional use of any of these products or medications without a physician's order is a violation of this order.
 11. Respondent agrees to execute a written authorization, along with execution of this Consent Order, allowing the Louisiana State Board of Nursing, and any authorized designees thereof, to access prescription monitoring information submitted to, or maintained by, the Louisiana Board of Pharmacy through its Prescription Monitoring Program (PMP) for the purpose of monitoring compliance with this Order and to determine fitness and ability to practice nursing with reasonable skill and safety. Respondent shall cause to be submitted a completed authorization release form to the Louisiana Board of Pharmacy and shall cause information and reports to be sent to the Louisiana State Board of Nursing, such written authorization to be effective for the duration of this Order. Respondent may also be required during this time period duration to provide to the board/board staff copies of prescription monitoring information maintained by the Board of Pharmacy.
 12. Prior to beginning or returning to work, inform all nursing employers of these disciplinary measures and of the probationary status of license. Respondent is responsible to submit a copy of all pages of this agreement to each employer and nursing supervisor.
 13. Within 5 days, shall cause all employers to submit to the Board, signed Employer's Agreement from each employer.
 14. Have all immediate nursing supervisors submit a performance evaluation report quarterly, commencing from the first date of employment. Quarterly reports are due on or before the first day of January, April, July and October.
 15. Work in a restrictive environment as a member of a treatment team rather than alone or with a few employees. Additionally, not be employed in any unsupervised setting. Must be directly supervised by an on-site registered nurse. Not be employed in agency/pool/staffing, home health services, or nursing homes.
 16. Immediately (within 72 hours) inform the Board in writing of any change in address.


Initials

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

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Respondent

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CONSENT ORDER

TERMS AGREED TO BY LICENSEE

17. Immediately inform the Board in writing of all places of employment. If employment changes, the Board shall be immediately (within 72 hours) notified in writing.
18. If unemployed, inform the Board in writing on a quarterly basis.
19. Shall engage in the practice of professional nursing in Louisiana for a minimum of twenty four (24) hours per week for a minimum 18 consecutive months.
20. Within twenty four (24) months, submit payment of \$200.00 to the Board as cost of Consent Order.
21. Within twenty four (24) months, submit payment of \$1,500.00 to the Board as fine.
22. By the first of each month, submit a monthly probation fee of twenty-five dollars (\$25.00) to the Board, beginning February 1, 2014.
23. Not have any misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board related to this or any other incidents.
24. Failure to comply with the above orders, receipt of an unfavorable report, or non-receipt of reports on or before the date due shall result in the immediate suspension of Respondent's license. This suspension can be imposed by action of the Executive Director subject to the discretionary review of the Board.

I, MELISSA DESOTO NUGENT, understand that this agreement is effective immediately upon signature of the Executive Director. It is also understood that this agreement does not preclude the Board of Nursing from requiring a formal hearing of my case. I further understand that should the Consent Agreement not be accepted by the Board, I agree that presentation to and consideration of the Consent Agreement, the documentary evidence and information by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding this Respondent.

Dated this 17 day of January 2014

[Signature]

Witness

[Signature]
MELISSA DESOTO NUGENT

[Signature]

Witness

LOUISIANA STATE BOARD OF NURSING

[Signature] 1/15/14

Karen C. Lyon, PhD, RN, NEA
Executive Director

Date

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF
MELISSA DESOTO NUGENT
3105 DAWKINS STREET
ALEXANDRIA, LA 71301

Respondent

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RN101118
Voluntary Surrender of License

I, MELISSA DESOTO NUGENT, (Respondent), voluntarily agree to sign and have witnessed the terms of this agreement for the purpose of avoiding formal administrative proceedings with the Louisiana State Board of Nursing.

I, MELISSA DESOTO NUGENT, do freely, knowingly and voluntarily enter into this agreement. I understand that I have a right to a hearing in this matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into this agreement.

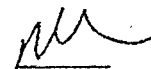
I hereby voluntarily surrender my license to practice as a Registered Nurse in Louisiana, and I agree that by so doing I subject myself to formal disciplinary action as per Title 46, Professional and Occupational Standards, Part XLVII, Subpart 2, Section 3409. C.

I understand that this voluntary license surrender shall have the consequences set forth in Section 3409.C., including, but not limited to, the following:

1. Be deemed a disciplinary action.
2. Be deemed an admission of the allegations under investigation, listed below as Findings of fact:
 - a. On December 1, 2000, Respondent was licensed by examination to practice as a Registered Nurse in Louisiana;
 - b. On or about June 14, 2013, Respondent submitted a specimen for a pre-employment drug screen and was hired by HealthSouth Corporation on June 17, 2013 contingent upon passing the drug screen. On June 27, 2013, the drug screen report was issued and showed a positive result for Methamphetamine. On July 1, 2013, Respondent was terminated from employment due to the positive drug screen.
 - c. On January 15, 2014 Respondent signed a Consent Order for Probation of her license and other stipulations including inpatient evaluations.
 - d. On March 11, 2014 through March 13, 2014, Respondent submitted to an inpatient evaluation at Palmetto Addiction Recovery Center. The Diagnoses included: Amphetamine Abuse, Rule Out Amphetamine Dependence; Alcohol Abuse Rule Out Alcohol Dependence.
 - e. The Treatment Recommendations included: Respondent should submit to another inpatient evaluation at an approved facility with polygraph capabilities and retested psychologically to better define her chemical and her cognitive disorders.
 - f. Respondent declined another evaluation and requested to voluntarily surrender her license.
3. Cause Respondent's license to become invalidated and have an "inactive" status at the time of license surrender.
4. Cause ineligibility for licensure reinstatement for a minimum of two (2) years and until such time as the Respondent meets the requirements for reinstatement as described in Chapter 34 of the Board Rules.
5. Become public record to be reported and distributed in the same manner as a final decision of the Board. This will be reported to the National Practitioner Data Bank (NPDB) as 1145: Voluntary Surrender of License. NPDB Narrative: Respondent requested to voluntarily surrender license after refusal to comply with Consent Order.
6. Prohibit Respondent from practicing as an RN in Louisiana for a minimum period of two (2) years. Such illegal practice shall be subject to penalties provided in Chapter 34 of the Board Rules.
7. Will require Respondent to submit payment of \$200 to the Board as cost.

RECEIVED

APR 23 2014



LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

RECEIVED
APR 23 2014
LOUISIANA STATE BOARD OF NURSING

IN THE MATTER OF
MELISSA DESOTO NUGENT
3105 DAWKINS STREET
ALEXANDRIA, LA 71301
Respondent

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RN101118
Voluntary Surrender of License

Terms Agreed to by Licensee (Cont'd)

8. Will require that, prior to reinstatement, a hearing or conference shall be held before the Board or with Board staff to afford Respondent the opportunity to present evidence that the cause/condition that led to the voluntary surrender no longer exist and to afford the Board or Board staff the opportunity to evaluate changes in the person or condition. The burden of proof shall be for the Respondent to prove that conditions that led to the voluntary surrender of Respondent's license no longer exist and/or no longer affects Respondent's ability to practice safely.
9. Will require Respondent to submit to various evaluations (physical, psychological, psychiatric, and/or substance abuse) and follow recommendations of same. If any evaluations give any findings to warrant concern for patient safety, Respondent must demonstrate, to the satisfaction of the Board, that Respondent poses no danger to the practice of nursing or to the public and can safely and competently perform the duties of a Registered Nurse.
10. Will result in a period of probation, in the event that Respondent resumes practice in Louisiana after the period of surrender is completed.
11. Will require that Respondent's license be reinstated by Consent Order, Settlement Order, or Board Order which would become public record published in the Examiner.

I further acknowledge that I have fully cooperated with the Louisiana State Board of Nursing in resolving these charges, and intend to comply with all stipulations of this Order.

I, MELISSA DESOTO NUGENT, understand that this agreement is effective immediately upon signature of the Executive Director and will become an ORDER of the Board.

Dated this 21 day of April 2014

Melissa Desoto Nugent
MELISSA DESOTO NUGENT

Judy Gray
Witness

[Signature]
Witness

LOUISIANA STATE BOARD OF NURSING
Karen C. Lyon 4/23/14
Karen C. Lyon, PhD, APRN, ACNS, NEA Date
Executive Director