



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 Nurse Midwife	§	AGREED
with Prescriptive Authorization, and	§	
Registered Nurse License Number 648038	§	
issued to JAMIE SAGEBIEL	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JAMIE SAGEBIEL, Nurse Midwife with Prescriptive Authority Number 11890 and Registered Nurse License Number 648038, 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)&(12) 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 March 8, 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 representation by counsel, 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 and is currently recognized as a Nurse Midwife with prescriptive authority in the State of Texas.
4. Respondent received an Baccalaureate Degree in Nursing from University of Texas, Austin, Texas on December 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on February 3, 1998. Respondent received a Masters of Science in Nursing from California State University, Fullerton, California, on August 5, 2011. Respondent was authorized to practice as a Nurse Midwife with Prescriptive Authority by the Texas Board of Nursing on October 17, 2011.

5. Respondent's nursing employment history includes:

12/1997 - 11/1998	RN	St. Joseph Regional Heath Center Bryan, Texas
11/1998 - 12/2000	RN	St. Joseph Regional Heath Center Bryan, Texas
05/2000 - 02/2001	RN	The Physician's Centre Bryan, Texas
03/2001 - 12/2001	RN	Christus St. Joseph Hospital Unknown
04/2002 - 07/2005	RN	St. David's Medical Center Austin, Texas
07/2006 - 12/2006	RN	Columbus Community Hospital Columbus, Texas
07/2007 - 08/2011	RN	Perinatal Institute at Loma Linda Medical Care Loma Linda, California
11/2011 - 02/2012	RN	Austin Birthing Center Austin, Texas
04/2012 - 11/2012	RN	Women Partners in Health Austin, Texas
12/2012 - Present	Unknown	

6. On or about February 7, 2012, through February 8, 2012, while employed with Austin Area Birthing Center, Austin, Texas, Respondent lacked fitness to practice professional nursing in that she exhibited impaired behavior, including, but not limited to, using slow and slurred words, being unable to repeat directions, incoherent, fatigued, falling asleep, grossly disorientated, flustered, dazed, pale skin, and bloodshot and droopy eyes. Respondent's condition could have affected her ability to recognize subtle signs, symptoms, or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing the patients in potential danger.

7. On or about February 9, 2012, while employed with Austin Area Birthing Center, Austin, Texas, Respondent engaged in the intemperate use of hydrocodone and hydromorphone in that she produced a specimen for a drug screen which tested positive for hydrocodone and hydromorphone. Unlawful possession of hydrocodone and hydromorphone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of hydrocodone and hydromorphone 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' conditions, 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.
8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states that she feels remorse for going to work impaired and she doesn't deny that she was under the influence of opiate medications that made her unfit to practice. Respondent explains that she has suffered from chronic back, buttock, and leg pain for many years and was, at the time, under the care of a physician who had prescribed her Percocet and hydrocodone. Respondent admitted to taking more of the opiate medications than prescribed to try and control the pain in a manner sufficient to work.
9. On or about July 5, 2012, while participating in Texas Peer Assistance Program for Nurses (TPAPN), Austin, Texas, Respondent engaged in the intemperate use of alcohol in that she produced a specimen for a drug screen which tested positive for alcohol. The use of alcohol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patients' conditions, 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.
10. On or about November 12, 2012, while participating in Texas Peer Assistance Program for Nurses (TPAPN), Austin, Texas, Respondent engaged in the intemperate use of Amphetamines in that she produced a specimen for a drug screen which tested positive for Amphetamines. Unlawful possession of Amphetamines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Amphetamines 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' conditions, 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. In response to Findings of Fact Numbers Nine (9) and Ten (10), Respondent states that she had an episode of pain and began drinking alcohol to mask the pain. According to Respondent, those results showed up on a random drug screen on July 5, 2012. Respondent explains that she then left for inpatient treatment where she felt she got her feet back on the ground. After treatment, Respondent states that she let her medical issues go without medical attention because she couldn't take time off. Respondent explains that she inadvertently found a bottle of Adderall that was once prescribed to her and thought it would help her cope

with her pain.

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 and 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.
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 §217.12(1)(E),(5),(10)(A)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(12), Texas Occupations Code, to take disciplinary action against Nurse Midwife with Prescriptive Authority Number 11890 and Registered Nurse License Number 648038, heretofore issued to JAMIE SAGEBIEL, 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):

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

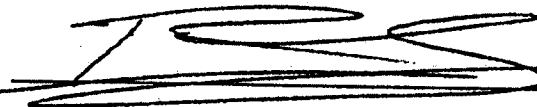
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer 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.

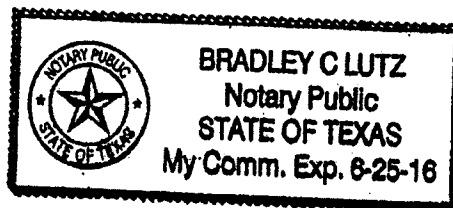
Signed this 2 day of June, 2013.


JAMIE SAGEBIEL, RESPONDENT

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

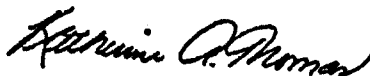
SEAL


Notary Public in and for the State of Tx



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 2nd day of June, 2013, by JAMIE SAGEBIEL, Nurse Midwife with Prescriptive Authority Number 11890 and Registered Nurse License Number 648038, and said Order is final.

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



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