



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 813415
Issued to REBECCA LYNN HIATT,
Respondent**

§
§
§
§
§

**BEFORE THE TEXAS

BOARD OF NURSING**

ORDER OF TEMPORARY SUSPENSION

**TO: Rebecca Lynn Hiatt
104 W. Jade Dr.
Hewitt, TX 76643**

A public meeting of the Texas Board of Nursing was held on July 7, 2014 at 333 Guadalupe, Room 3-460, Austin, Texas, in which the Temporary Suspension of Permanent Registered Nurse License Number 813415, issued to REBECCA LYNN HIATT 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 REBECCA LYNN HIATT 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 charges are substantiated:

CHARGE I

On or about June 2, 2014, Respondent became noncompliant with the Agreed Order issued to her on November 22, 2013, by the Texas Board of Nursing. Non-compliance is the result of her failure to return the items necessary to initiate participation within the required time frame. Stipulation Number One (1) of the Agreed Order, dated November 22, 2013, states, in pertinent part:

"(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."

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).


The Texas Board of Nursing further finds that, given the nature of the charges concerning her fitness to practice, the continued practice of nursing by REBECCA LYNN HIATT constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Permanent Registered Nurse License Number 813415, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that, Permanent Registered Nurse License Number 813415, issued to REBECCA LYNN HIATT, 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 61st day following the date of the entry of this order.

Entered this 7th day of July, 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 813415 §
Issued to REBECCA LYNN HIATT, §
Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, REBECCA LYNN HIATT, is a Registered Nurse holding License Number 813415, 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 June 2, 2014, Respondent became noncompliant with the Agreed Order issued to her on November 22, 2013, by the Texas Board of Nursing. Non-compliance is the result of her failure to return the items necessary to initiate participation within the required time frame. Stipulation Number One (1) of the Agreed Order, dated November 22, 2013, states, in pertinent part:

"(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."

On or about June 2, 2014, Respondent was dismissed from TPAPN and referred back to the Board.

A copy of the Agreed Order dated November 22, 2013, is attached and incorporated, by reference, as part of this pleading.

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.

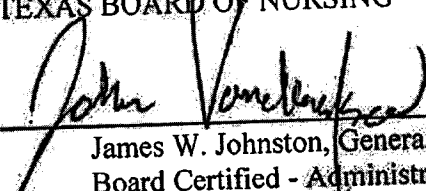
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.texas.gov.

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.

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 November 22, 2013.

Filed this 7th day of July, 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

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

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

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

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701

P: (512) 305-6811

F: (512) 305-8101/305-7401

Attachments: Order of the Board dated November 22, 2013.

D/2012.06.19

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Registered Nurse License Number 813415
issued to REBECCA LYNN HIATT

§
§
§

CONFIDENTIAL
AGREED ORDER FOR
PEER ASSISTANCE PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of REBECCA LYNN HIATT, Registered Nurse License Number 813415, 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 offered under the authority of Section 301.466(d), Texas Occupations Code, and approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on October 23, 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 an Associate Degree in Nursing from McLennan Community College, Waco, Texas, on December 9, 2011. Respondent was licensed to practice professional nursing in the State of Texas on February 2, 2012.
5. Respondent's professional nursing employment history includes:

02/12 - 04/13

RN

Providence Health Center
Waco, Texas

Respondent's professional nursing employment history continued:

05/13 - Present Unknown

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Providence Health Center, Waco, Texas, and had been in this position for eleven (11) months.
7. On or about February 16, 2013, through February 18, 2013, while employed as a Registered Nurse with Providence Health Center, Waco, Texas, Respondent withdrew ten (10) milligrams of Dilaudid, seven (7) Norco 10/325 tablets, twenty-five (25) milligrams of Phenergan and four (4) Percocet 5/325 tablets from the Medication Dispensing System (Omniceil) for Patient Identification Numbers 114751383, 114753742, 114751243 and 114743208, but failed to document, or accurately and completely document, the administration of the medications in the patients' Medication Administration Record (MAR). Respondent's conduct created inaccurate medical records and was likely to injure the residents, in that subsequent care givers would rely on her documentation to further medicate the residents, which could result in an overdose. Furthermore, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) and Chapter 483 (Dangerous Drugs Act) of the Texas Health and Safety Code.
8. On or about February 16, 2013, through February 18, 2013, while employed as a Registered Nurse with Providence Health Center, Waco, Texas, Respondent withdrew eight (8) milligrams of Dilaudid from the Medication Dispensing System (Omniceil) for Patient Identification Numbers 114751243 and 114743208 in excess frequency and/or dosage of the physicians' orders. Respondent's conduct was likely to injure the patients in that the administration of medication in excess dosage of the physicians' orders could result in the patients suffering from adverse reactions. Respondent's conduct is also a violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
9. On or about February 16, 2013, through February 18, 2013, while employed as a Registered Nurse with Providence Health Center, Waco, Texas, Respondent withdrew ten (10) milligrams of Dilaudid, seven (7) Norco 10/325 tablets, twenty-five (25) milligrams of Phenergan and four (4) Percocet 5/325 tablets from the Medication Dispensing System (Omniceil) for Patient Identification Numbers 114751383, 114753742, 114751243 and 114743208, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications. Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
10. On or about February 18, 2013, while employed as a Registered Nurse with Providence Health Center, Waco, Texas, Respondent misappropriated Dilaudid, Percocet, Phenergan and Norco belonging to the facility and patients, thereof, or failed to take precautions to prevent such misappropriation. Furthermore, Respondent was asked to empty her pockets and the following items were found: one (1) unused syringe of Hydromorphone, six (6) empty syringes of Hydromorphone, one (1) Lorazepam 1mg tablet, two (2) Hydrocodone 5/325mg

tablets, two (2) Hydrocodone 10/325mg tablets, two (2) empty packages of Oxycodone 5/325mg tablets, and one (1) used insulin syringe. Respondent's conduct was likely to defraud the facility and patients thereof of the cost of the medications, and is a violation of Chapter 481 (Controlled Substances Act) and Chapter 483 (Dangerous Drugs Act) of the Texas Health and Safety Code.

11. On or about February 18, 2013, while employed as a Registered Nurse with Providence Health Center, Waco, Texas, Respondent engaged in the intemperate use of Hydromorphone, Hydrocodone, Morphine, Oxymorphone and Oxycodone in that she produced a specimen for a for cause drug screen that resulted positive for Hydromorphone, Hydrocodone, Morphine, Oxymorphone and Oxycodone. Possession of Hydromorphone, Hydrocodone, Morphine, Oxymorphone and Oxycodone, without a valid prescription, is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code. Further, the use of Hydromorphone, Hydrocodone, Morphine, Oxymorphone and Oxycodone 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 patient's 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.
12. 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. In response to Findings of Fact Numbers Seven (7) through Eleven (11), Respondent acknowledges that she has made some serious mistakes in her short career, and points out that she had only been practicing nursing for a year at the time of the alleged incidents. Respondent states she is willing to have her practice supervised under TPAPN.
15. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
16. 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)(B), (1)(C) & (1)(D) and 217.12(1)(A),(1)(B),(4),(5),(6)(G),(8),(10)(A),(10)(C),(10)(D),(10)(E)&(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 813415, heretofore issued to REBECCA LYNN HIATT, 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 that, while RESPONDENT remains in compliance with the terms of this Order, this Order shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should Respondent fail to successfully complete the terms of this Order or should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

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.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

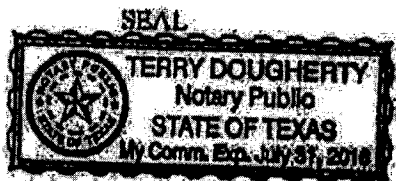
RESPONDENT'S CERTIFICATION

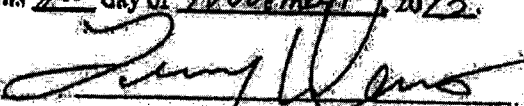
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. 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 20 day of November, 2013.


REBECCA LYNN HIATT, RESPONDENT

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




Notary Public in and for the State of Texas

Approved as to form and substance.


WILLIAM E. HOPKINS, Attorney for Respondent

Signed this 22 day of November, 2013.

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Confidential Agreed Order for Peer Assistance Program that was signed on the 20th day of November, 2013, by REBECCA LYNN HIATT, Registered Nurse License Number 813415, and said Order is final.

Entered and effective this 22nd day of November, 2013.



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