



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

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In the Matter of § AGREED  
Registered Nurse License Number 704010 §  
issued to AMY LYNN MAHAFFEY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of AMY LYNN MAHAFFEY, Registered Nurse License Number 704010, 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),(12)&(13), 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 July 1, 2014, subject to ratification by the Board.

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.
4. Respondent received an Associate Degree in Nursing from Community College of Denver, Denver, Colorado, on December 6, 2003. Respondent was licensed to practice professional nursing in the State of Texas on March 23, 2004.
5. Respondent's nursing employment history includes:
 

3/2004-8/2007	Registered Nurse	East Texas Medical Center Tyler, Texas
9/2007-4/2011	Unknown	

Respondent's nursing employment history continued:

5/2011-Present          Staff Nurse          Texas Health Presbyterian Hospital  
Rockwall, Texas

6. At the time of the initial incident, Respondent was employed as a staff nurse with Texas Health Presbyterian Hospital, Rockwall, Texas, and had been in this position for seven (7) months.
7. On or about December 31, 2011 while employed as a staff nurse with Texas Health Presbyterian Hospital, Rockwall, Texas, Respondent lacked fitness to practice in that she reported to work with dilated pupils and experienced seizures while on duty in the Intensive Care Unit. Respondent's conduct was likely to cause injury to the patient's from her inability to make rational, accurate, and appropriate assessments, judgements and decisions regarding patient care.
8. In response to Finding of Fact Number Seven (7), Respondent states she had a seizure at the end of her 12 hour shift on December 31, 2011, and that there would have been no way for her to know that was going to occur at the beginning of the shift. Respondent states that this was the first time she's had a seizure while on duty. Respondent denies that her pupils were dilated. Respondent states that following this seizure her neurologist, Dr. Bruce Jenevein, cleared her to return to work with no limitations and that he provided the appropriate paper work to the HR department. Respondent states that she has had a seizure disorder since 1995 after suffering a head injury in an accident.
9. Formal Charges were filed on June 3, 2013.

#### 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 §217.11(1)(B)&(1)(T) and 22 TEX. ADMIN. CODE §217.12(1)(B),(1)(E),(4)&(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 704010, heretofore issued to AMY LYNN MAHAFFEY, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a LIMITED LICENSE with Stipulations, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§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 nurse licensure compact 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:

(1) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(2) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before re-issuance of an unencumbered license.

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. 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 1 day of July, 2014.  
Amy L Mahaffey  
AMY LYNN MAHAFFEY, Respondent

Sworn to and subscribed before me this 1st day of July, 2014.

SEAL

Kristina Johnson  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 1<sup>st</sup> day of July, 2014, by AMY LYNN MAHAFFEY, Registered Nurse License Number 704010, and said Order is final.

Effective this 19<sup>th</sup> day of August, 2014.



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