

IN THE MATTER OF PERMANENT  
REGISTERED NURSE LICENSE  
NUMBER 752290 ISSUED TO  
AMBER NICOLE SEARLE,  
RESPONDENT

§ BEFORE THE TEXAS  
§ BOARD OF NURSING  
§ ELIGIBILITY AND  
§ DISCIPLINARY COMMITTEE  
§



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 Thomas*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: AMBER NICOLE SEARLE  
4815 MOHAWK RD  
ROCKFORD, IL 61107

During open meeting held in Austin, Texas, on **June 16, 2015**, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 752290, previously issued to AMBER NICOLE SEARLE, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 16th day of June, 2015.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed on April 1, 2015.

d17r(2014.12.05)

Re: Permanent Registered Nurse License Number 752290  
Issued to AMBER NICOLE SEARLE  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17 day of June, 2015, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested  
AMBER NICOLE SEARLE  
4815 MOHAWK RD  
ROCKFORD, IL 61107

Via USPS First Class Mail



BY:

\_\_\_\_\_  
KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of	§	BEFORE THE TEXAS
Permanent Registered Nurse	§	
License Number 752290	§	OF
Issued to AMBER NICOLE SEARLE,	§	
Respondent	§	BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, AMBER NICOLE SEARLE, is a Registered Nurse holding License Number 752290, which is in inactive 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 April 9, 2014, while employed with ER Centers of America, Plano, Texas, Respondent fraudulently called in a prescription for Hydrocodone for herself using name and Drug Enforcement Administration (DEA) number of Dr. Mark Key. Respondent's conduct was likely to deceive the pharmacy, and possession of Hydrocodone through use of a fraudulent telephonically communicated prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(6)(H),(10)(E)&(11)(B).

#### CHARGE II.

On or about February 12, 2015, Respondent entered a plea of guilty to five (5) counts of FRAUD POSS CS/PRESCRIPTION SCH III/IV, 3rd Degree felony offenses committed on June 19, 2013, September 22, 2013, January 22, 2014, March 19, 2014, and April 8, 2014, in the 296<sup>th</sup> Judicial District Court of Collin County, Texas, under Cause No. 296-82526-2014. As a result of the plea, proceedings against Respondent were deferred, without entering an adjudication of guilt, and Respondent was placed on community supervision for a period of four (4) years and ordered to pay court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B)&(13).

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).

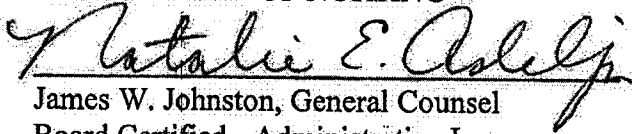
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, and for Fraud, Theft and Deception, which can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

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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).

Filed this 1st day of April, 2015.

TEXAS BOARD OF NURSING



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D(2015.02.24)