



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 784138 §
issued to AMY NICOLE SMITH §

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 784138, issued to AMY NICOLE SMITH, 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 an Associate Degree in Nursing from El Centro College, Dallas, Texas, on December 10, 2009. Respondent was licensed to practice professional nursing in the State of Texas on May 6, 2010.
4. Respondent's nursing employment history includes:

12/07 - 01/09	Nurse Extern	Methodist Health System Dallas, Texas
01/09 - 05/10	Nurse Intern	Methodist Health System Dallas, Texas

Respondent's nursing employment history continued:

05/10 - 05/13	RN	Methodist Heath System Dallas, Texas
08/12 -10/13	RN	Pine Creek Medical Center Dallas, Texas
05/13 - Unknown	RN	Pathway Hospice Dallas, Texas
05/13 - 08/14	RN	Baylor Emergency Medical Centers Mansfield, Texas
01/14 - Unknown	RN	United Surgical Partners Dallas, Texas
08/14 - Present	Unknown	

5. On or about March 2, 2015, the Board provided Respondent notice of the following allegations:
- A. On or about August 18, 2014, through August 23, 2014, while employed as a Registered Nurse with Baylor Emergency Medical Center, Mansfield, Texas, Respondent signed out Dilaudid and Morphine on the Controlled Substance Administration Record (CSAR) for Patients M.M., J.S., W.S. and T.J., without a valid physician's order.
 - B. On or about August 18, 2014, through August 23, 2014, while employed as a Registered Nurse with Baylor Emergency Medical Center, Mansfield, Texas, Respondent signed out Dilaudid and Morphine on the CSAR for Patients M.M., J.S., W.S. and T.J., but failed to document and/or completely and accurately document, the administration of this medication in the patients' Electronic Medical Record (EMR).
 - C. On or about August 18, 2014, through August 23, 2014, while employed as a Registered Nurse with Baylor Emergency Medical Center, Mansfield, Texas, Respondent signed out Dilaudid and Morphine on the CSAR for Patients M.M., J.S., W.S. and T.J., and failed to follow the facility's policy and procedure for the wastage of any of the unused portions of the medications.
 - D. On or about August 18, 2014, through August 23, 2014, while employed as a Registered Nurse with Baylor Emergency Medical Center, Mansfield, Texas, Respondent signed out Dilaudid and Morphine on the CSAR for Patients M.M., J.S.,

W.S. and T.J., in excess frequency and/or dosage of the physician's order.

- E. On or about August 18, 2014, through August 23, 2014, while employed as a Registered Nurse with Baylor Emergency Medical Center, Mansfield, Texas, Respondent misappropriated Dilaudid and Morphine belonging to the facility and patients thereof, or failed to take the precautions to prevent such misappropriation.
 - F. On or about August 18, 2014, while employed as a Registered Nurse with Baylor Emergency Medical Center, Mansfield, Texas, Respondent falsely documented on the CSAR that she withdrew Dilaudid and Morphine for Patient M.M. at 1019, 1107, and 1123, but Respondent did not enter the medication room at those times.
 - G. On or about August 23, 2014, while employed as a Registered Nurse with Baylor Emergency Medical Center, Mansfield, Texas, Respondent falsified the witness signature for a waste she performed for Patient W.S. in that the witnessing RN stated she did not witness the Norco waste with Respondent.
- 6. On May 21, 2015, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated May 18, 2015, 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 to prove violation(s) of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B),(1)(C)&(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4), (6)(A),(6)(G),(6)(H),(8),(10)(B),(10)(C),(10)(E)&(11)(B).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas

Occupations Code, to take disciplinary action against Registered Nurse License Number 784138, heretofore issued to AMY NICOLE SMITH, 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.

THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 784138, heretofore issued to AMY NICOLE SMITH, 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 is 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 21st day of May, 2015.

TEXAS BOARD OF NURSING

By:



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

AMY NICOLE SMITH
1430 HONOR DR
DESOTO, TX 75115
Registered Nurse License Number 784138

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas.

I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the

Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time

I submit any petition for reinstatement.

Signature Amy Smith

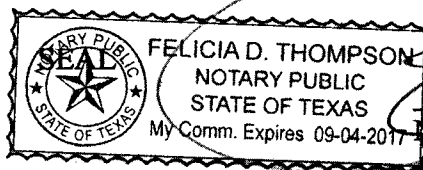
Date May 18, 2015

Registered Nurse License Number 784138

The State of Texas

Before me, the undersigned authority, on this date personally appeared AMY NICOLE SMITH who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 18 day of May, 2015.



[Signature]
Notary Public in and for the State of TX