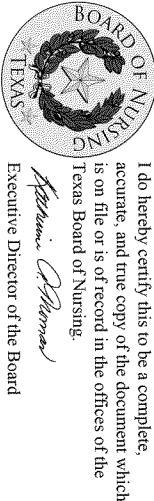


IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 251543
ISSUED TO SALLY CHAPMAN HAYES,
RESPONDENT

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



ORDER OF THE BOARD

TO: SALLY CHAPMAN HAYES
602 N DEES
FT STOCKTON, TX 79735

During open meeting held in Austin, Texas, on **December 8, 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 251543, previously issued to SALLY CHAPMAN HAYES, 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 8th day of December, 2015.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed October 15, 2015.

Re: Permanent Registered Nurse License Number 251543
Issued to SALLY CHAPMAN HAYES
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9 day of December, 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

SALLY CHAPMAN HAYES
602 N DEES
FT STOCKTON, TX 79735

Via USPS First Class Mail

SALLY CHAPMAN HAYES
6560 PYRAMID WAY, SPC 41
SPARKS, NV 89436-9650

SALLY CHAPMAN HAYES
3429 SO CARSON ST, #49
CARSON CITY, NV 89701

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 251543	§	
Issued to SALLY CHAPMAN HAYES,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SALLY CHAPMAN HAYES, is a Registered Nurse holding License Number 251543, which is in delinquent 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 May 22, 2008, the Voluntary Surrender of Respondent's Nevada professional nurse license was accepted by the Nevada State Board of Nursing, Las Vegas, Nevada. A copy of the Nevada State Board of Nursing's Voluntary Surrender of License in Lieu of Other Disciplinary Action dated May 22, 2008, 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)(8), Texas Occupations Code.

CHARGE II.

On or about April 6, 2015, Respondent's Maryland registered nurse license was Revoked by the Maryland Board of Nursing, Baltimore, Maryland. A copy of the Maryland Board of Nursing's Final Decision and Order of Revocation of Registered Nurse License dated April 6, 2015, 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)(8), Texas Occupations Code.

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.

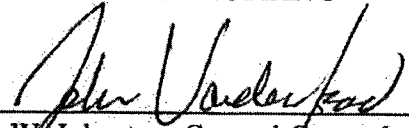
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

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: Agreed Order dated July 12, 1995, Nevada State Board of Nursing's Voluntary Surrender of License in Lieu of Other Disciplinary Action dated May 22, 2008, and Maryland Board of Nursing's Final Decision and Order of Revocation of Registered Nurse License dated April 6, 2015.

Filed this 15 day of October, 2015.

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

Robert 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) 305-8657
F: (512) 305-8101 or (512)305-7401

Attachments: Agreed Order dated July 12, 1995, Nevada State Board of Nursing's Voluntary Surrender of License in Lieu of Other Disciplinary Action dated May 22, 2008, and Maryland Board of Nursing's Final Decision and Order of Revocation of Registered Nurse License dated April 6, 2015.



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 Chapman
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 251543 issued to § AGREED ORDER
SALLY CHAPMAN HAYES §

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of SALLY CHAPMAN HAYES, license number 251543, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(7), Revised Civil Statutes of Texas, as amended. Respondent waived representation by counsel, informal conference, notice, hearing and agreed to the entry of this Order offered by Louise Waddill, PhD, RN, Executive Director, 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.
2. Respondent waived representation by counsel, informal conference, notice, hearing, and consented to the entry of this order.
3. Respondent's license to practice professional nursing in Texas is in delinquent status.
4. Respondent graduated from a baccalaureate degree nursing program at Texas Women's University, Denton, Texas, on May 1, 1980.
5. On or about March 3, 1994, Respondent's license to practice professional nursing was revoked, the revocation was stayed and the license was placed on probation for a minimum of five (5) years, by the State of Nevada, Board of Nursing.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received was sufficient to prove violation(s) of Article 4525(b)(7), TEX. REV. CIV. STAT. ANN.
4. The activities of the Respondent constituted sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 251543, heretofore issued to SALLY CHAPMAN HAYES.

AGREED SANCTIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that upon payment of all fees and completion of all documentation required by the Board to remove RESPONDENT'S license from delinquent status, RESPONDENT'S LICENSE SHALL be reactivated with the sanction of stipulations on practice pursuant to Article 4525.1(4)(7)(8)(9), and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and this order.

IT IS FURTHER AGREED that RESPONDENT SHALL comply with the following stipulations for 45 months:

- (1) RESPONDENT SHALL notify each present employer in professional nursing of this order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this order to each present employer within five (5) days of notification

of this order. RESPONDENT SHALL notify all potential employers in professional nursing of this order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a copy of this order to each potential employer prior to employment.

(2) RESPONDENT SHALL CAUSE each present employer in professional nursing to submit the Notification of Employment form to the Board's office within ten (10) days of notification of this order. RESPONDENT SHALL CAUSE each potential employer to submit the Notification of Employment form to the Board's office within five (5) days of employment as a professional nurse.

(3) RESPONDENT SHALL be supervised by a registered nurse who is on the premises. The supervising RN is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency or home health agency. RESPONDENT SHALL NOT be self employed or contract for services. Multiple employers are prohibited.

(4) RESPONDENT SHALL CAUSE each employer to submit, on forms provided by the Board, periodic reports as to RESPONDENT's capability to practice professional nursing. These reports shall be completed by the registered nurse who supervises the RESPONDENT. These reports shall be submitted to the office of the Board at the end of each three (3) months for forty-five (45) months of employment as a professional nurse.

(5) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription.

(6) RESPONDENT SHALL submit to random periodic screens for controlled substances and alcohol.

Random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Marijuana Metabolites
Barbiturates	Meperidine
Benzodiazepines	Methadone
Butorphanol Tartrate (Stadol)	Methaqualone
Dezocine (Dalgan)	Nalbuphine Hydrochloride (Nubain)
Cocaine Metabolites	Opiates
Ethanol	Phencyclidine
Hydrocodone	Propoxyphene

All screens shall be properly monitored and production of specimen personally observed by the employer's designee. A complete chain of custody shall be maintained for each specimen obtained and analyzed.

RESPONDENT SHALL CAUSE the employer/laboratory to send the written results of each random screen to the Office of the Board within five (5) days of the date that the screen is analyzed. If any screen tests positive for alcohol and/or controlled substances Nubain,

Stadol, Dalgan or other synthetic opiates, for which the RESPONDENT does not have a valid prescription, the employer/laboratory shall report such results to the Board Office on the day that the results are received by calling (512) 835-8686 and reporting the positive results to an investigator.

(7) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice professional nursing. The report must indicate whether or not the RESPONDENT's emotional stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the stipulation, or until RESPONDENT is dismissed from therapy.

(8) RESPONDENT SHALL participate in psychiatric treatment for Bipolar Disorder at a frequency determined by her treating practitioner. The treating practitioner shall submit quarterly reports on forms supplied by the Board concerning her progress in treatment, treatment plan and goals, current psychiatric diagnosis (Axis I-V), and medication regime.

(9) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse; and RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least; the date of each meeting, the name of each group attended, and the signature or signed initials of the

chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED, that upon full compliance with the terms of this order, RESPONDENT SHALL be issued an unencumbered license to practice professional nursing in the State of Texas.

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. By my signature on this order, I agree to the Findings of Fact, Conclusions of Law, Agreed Sanctions, and any stipulation(s) of this order to avoid further disciplinary action in this matter. I consent to the issuance of the Agreed Sanctions. I waive judicial review of this order. I understand that this order is subject to ratification by the Board. When the order is ratified, the terms of this order become effective, and a copy will be mailed to me.

Signed this 22 day of June, 1995
Sally Chapman Hayes
SALLY CHAPMAN HAYES

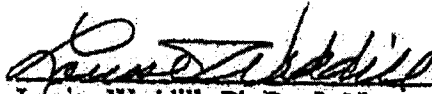
Sworn to and subscribed before me this 22 day of June, 1995.



Karin Cooney
Notary Public in and for the State of Nevada

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners
for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the
22nd day of June, 1995, by SALLY CHAPMAN HAYES, license
number 251543, and said order is final.

Effective this 12th day of July, 1995.


Louise Waddill, Ph.D., R.N.
Executive Director on behalf
of said Board

ORIGINAL
BEFORE THE NEVADA STATE BOARD OF NURSING

IN THE MATTER OF
SALLY HAYES
LICENSED PROFESSIONAL NURSE
NEVADA LICENSE NO. RN18528
RESPONDENT

VOLUNTARY SURRENDER OF
LICENSE IN LIEU OF OTHER
DISCIPLINARY ACTION

CASE NO. 0372-08C

I, SALLY HAYES, wish to voluntarily surrender my Nevada Nursing License. I voluntarily and knowingly admit the following facts:

1. I am licensed as a Licensed Professional Nurse in the State of Nevada and I was licensed at the time of the conduct described herein and am, therefore, subject to the jurisdiction of the Board.
2. I admit that I am addicted to controlled substances and/or alcohol.
3. I admit these factual allegations constitute grounds for disciplinary action pursuant to NRS 632.320(5) controlled substance and/or alcohol.
4. I am aware of, understand, and have been advised of the effect of this Voluntary Surrender.
5. I have read this Voluntary Surrender and I fully understand and acknowledge its facts and terms.
6. I am aware that I have certain constitutional rights, including:
 - a. I have the right to hire an attorney to represent me in this proceeding;
 - b. I have the right to demand a hearing on the charges against me, and I can require the Board staff to prove the allegations;
 - c. I have the right to cross-examine the witnesses against me;
 - d. I have the right to call witnesses to provide evidence in my own behalf;

- 1 e. I have other rights accorded to me under Nevada Revised Statutes Chapters 233B,
2 and 632. Also, I have rights accorded to me under Nevada Administrative Code
3 Chapter 632.
- 4 7. I am aware of the foregoing rights, and I voluntarily, knowingly, and intelligently
5 waive these rights in return for the Board accepting my voluntary surrender of my
6 Nevada nursing license in lieu of other disciplinary action.
- 7 8. I understand this Voluntary Surrender is considered a disciplinary action and as such
8 will become part of my permanent record.
- 9 9. I understand this Voluntary Surrender is considered public information.
- 10 10. I understand this Voluntary Surrender is considered a disciplinary action and will be
11 reported to any national repository, which records disciplinary action taken against
12 licensees or certificate holders, or any agency or another state, which regulates the
13 practice of nursing.
- 14 11. I understand this Voluntary Surrender may be used in any subsequent hearings by the
15 Board as evidence against me to establish a pattern of behavior and for the purpose of
16 proving additional acts of misconduct.
- 17 12. This Voluntary Surrender shall not be construed as excluding or reducing any
18 criminal or civil penalties or sanction or other remedies that may be applicable under
19 federal, state or local laws.
- 20 13. I understand that this surrender is effective the day it is accepted by the Nevada State
21 Board of Nursing, or may be effective pursuant to NRS 632.400 (2), however I agree
22 to immediately cease and desist from practicing as a Registered Nurse, and I am
23 returning my license/certificate with this signed Voluntary Surrender of License In
24 Lieu of Other Disciplinary Action.

25 \\\n26 \\\n27 \\\n28

1 I, SALLY HAYES, by my signature affixed below, agree with the foregoing facts and
2 representations and therefore choose to voluntarily surrender my Nevada nursing license.

3
4 Dated this 8 day of April, 2008

Sally Hayes
RESPONDENT
SALLY HAYES

6
7 State of Nevada Witnessed by Chris Sansom
8 4/08/08

9 County of _____

10 This instrument was acknowledged before me on _____, 2008, by _____

11
12
13 Notary Public

14
15 Accepted and approved this 2nd day of May, 2008

16
17
18 NEVADA STATE BOARD OF NURSING

19 By: _____

Helen Vos
Helen Vos, MS, RN
Board President

IN THE MATTER OF

SALLY HAYES

License Number R102012

*

*

*

*

*

BEFORE THE

MARYLAND BOARD

OF NURSING

**FINAL DECISION AND ORDER OF REVOCATION
OF REGISTERED NURSING LICENSE**

I. PROCEDURAL BACKGROUND

The Maryland Board of Nursing (the "Board") was notified that the Texas, Nevada, and California Boards of Nursing had disciplined the registered nursing license of Sally Hayes (the "Respondent"). Based on the Respondent's discipline in other states, on April 1, 2014, the Board charged the Respondent with violations of the Nurse Practice Act, specifically Md. Code Ann., Health Occ. ("H.O.") § 8-316(a):

- (3) Is disciplined by a licensing, military or disciplinary authority in this State or in any other state or country or convicted or disciplined by a court in this state or in any other state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; specifically H.O. § 8-316(a)(19) ("Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article"); and
- (28) After failing to renew a license or after a temporary license has lapsed, commits any act that would be grounds for disciplinary action under this section.

The Board's charging document also notified the Respondent of the Respondent's opportunity to request an evidentiary hearing before the Board regarding the Board's charges. The charging document further advised that if the Respondent failed to request a hearing within thirty (30) days from the issuance of the charging document, the Respondent would waive the right to a hearing. In the event of such a waiver, the charging document advised the Respondent that the Board would issue a default order pursuant to § 10-210(4) of the Administrative Procedure Act, Md. Code Ann., State Gov't §§ 10-201, *et seq.*, wherein the Board could,

Sally Hayes, R102012

Final Decision and Order of Revocation of Registered Nursing License

pursuant to H.O. § 8-316, sanction the Respondent's license.

The Board sent its charging document via regular and certified mail to the Respondent's last known addresses of record pursuant to H.O. § 8-317(e) and Md. Code Ann., State Gov't § 10-207. Furthermore, Md. Code Ann., State Gov't § 10-209(c) provides that a person holding a license shall be deemed to have had reasonable opportunity to know of the fact of service if: 1) the person is required by law to notify the agency of a change of address within a specified period of time; 2) the person failed to notify the agency in accordance with the law; 3) the agency mailed the notice to the address of record; and 4) the agency did not have actual notice of the change of address prior to service. The Board has received no notice that the Respondent has changed her address as required by H.O. § 8-312(e); therefore, the Board finds that service of the charging document was proper.

The Respondent failed to request a hearing. On September 22, 2014, a quorum of the Board was present and a default proceeding was held.

II. FINDINGS OF FACT

The Board makes the following findings of fact based upon the entirety of the record:

1. On January 5, 1989, the Respondent was issued a license to practice as a registered nurse ("RN") in the State of Maryland, license number R102012. The Respondent's license expired on September 28, 1991.

Texas Board of Nurse Examiners ("Texas Board") Discipline

2. On June 22, 1995, the Texas Board adopted an "Agreed Order," wherein, the Respondent agreed that her license to practice nursing in the State of Texas, license number

Sally Hayes, R102012

Final Decision and Order of Revocation of Registered Nursing License

251543, would be reactivated with the sanction of stipulations on practice for forty-five (45) months.

3. The "Agreed Order" included the following Findings of Fact: on or about March 3, 1994, the Respondent's license to practice professional nursing was revoked, the revocation was stayed and the license was placed on probation for a minimum of five (5) years, by the State of Nevada, Board of Nursing.

Nevada Board of Nursing ("Nevada Board") Discipline

4. On May 22, 2008, the Nevada Board approved a "Voluntary Surrender of License in Lieu of Other Disciplinary Action," wherein, the Respondent agreed to the surrender of her license to practice registered nursing in the State of Nevada, license number RN18528. In that agreement, the Respondent admitted that she was "addicted to controlled substances and/or alcohol."

California Board of Registered Nursing ("California Board") Discipline

5. On July 24, 2013, the California Board issued a "Default Decision and Order," ordering the revocation of the Respondent's license to practice as a registered nurse in the State of California, license number 432811. The California Board's discipline was based on the Texas and Nevada Boards' disciplinary actions.

6. Section 8-316(a)(3) of the Nurse Practice Act provides that the Board may reprimand any licensee, place any licensee on probation, or suspend or revoke the license of a licensee if the Board finds, by a preponderance of the evidence, that: (1) the licensee was disciplined by a licensing, military or disciplinary authority in this State or any other state or

Sally Hayes, R102012

Final Decision and Order of Revocation of Registered Nursing License

country or convicted or disciplined by a court in this State or any other state or country; and (2) that the discipline or conviction was for an act that would be grounds for disciplinary action under the Board's disciplinary statutes. *See* H.O. § 8-316(a)(3).

7. In this case, the two conditions for the Board to find a violation of H.O. § 8-316(a)(3) have been met. On May 22, 2008, the Nevada Board of Nursing accepted the surrender of the Respondent's Nevada license to practice nursing. The Board finds that, in this instance, the surrender of the Respondent's nursing license was discipline. Furthermore, that discipline was based the Respondent's admission that she was addicted to "controlled substances and/or alcohol." The Board finds that the Respondent's aforementioned conduct in the State of Nevada would have violated H.O. § 8-316(a)(19) in the State of Maryland. Accordingly, the Board finds that the Respondent violated H.O. § 8-316(a)(3).

8. In addition, the disciplinary order upon which the Board bases its finding that the Respondent violated H.O. § 8-316(a)(3) was accepted by the Nevada Board of Nursing on May 22, 2008. The Respondent's Maryland RN license expired on September 28, 1991. Thus, as the Respondent violated H.O. § 8-316(a)(3) after she failed to renew her Maryland license, the Board finds that the Respondent violated H.O. § 8-316(a)(28).

9. The Board finds that the Respondent's violations of the Nurse Practice Act fall within category C. of the Board's sanctioning guidelines. *See* COMAR 10.27.26.07.C. The range of potential sanctions under category C. includes reprimand to revocation and/or a minimum fine of \$1,000 to a maximum fine of \$5,000. *Id.*

Sally Hayes, R102012

Final Decision and Order of Revocation of Registered Nursing License

III. CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. § 8-316(a):

- (3) Is disciplined by a licensing, military or disciplinary authority in this State or in any other state or country or convicted or disciplined by a court in this state or in any other state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; specifically H.O. § 8-316(a)(19) ("Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article"); and
- (28) After failing to renew a license or after a temporary license has lapsed, commits any act that would be grounds for disciplinary action under this section.

IV. ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the license of the Respondent to practice as a registered nurse in the State of Maryland, license number R102012, is hereby **REVOKED**; and it is further

ORDERED that this document is a **PUBLIC DOCUMENT** under Md. Code Ann., General Provisions §§ 4-101, *et seq.*

APR 6 2015

Date

Mary Kay Goetter
Acting Deputy Director

Mary Kay Goetter, PhD, RN, NEA-BC
Executive Director
Maryland Board of Nursing

Sally Hayes, R102012

Final Decision and Order of Revocation of Registered Nursing License

NOTICE OF APPEAL RIGHTS

Any person aggrieved by a final decision of the Board under Md. Code Ann., Health Occ. § 8-316(a) may take a direct judicial appeal within thirty (30) days of the date this Order is mailed as provided by Md. Code Ann., Health Occ. § 8-318, Md. Code Ann., State Gov't § 10-222 and Title 7, Chapter 200 of the Maryland Rules, including Md. Rule 7-203 ("Time for Filing Action").