



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

In the Matter of Advanced Practice Registered Nurse License Number AP122182 & Registered Nurse License Number 759664 issued to ASHLEY DAWN MILLER § AGREED § § ORDER §

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ASHLEY DAWN MILLER, Advanced Practice Registered Nurse License Number AP122182 and Registered Nurse License Number 759664, 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)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 30, 2015.

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 notice and hearing and agreed to the entry of this Order.
- 3. Respondent's license to practice as a professional nurse in the State of Texas is in current status. Respondent's license to practice as an advanced practice registered nurse in the State of Texas is in current status, and Respondent's prescriptive authorization is in current status.
- 4. Respondent received a Baccalaureate Degree in Nursing from the University of Southwestern Louisiana, Lafayette, Louisiana, on May 19, 2007, and received a Master's Degree in Nursing from the University of Texas Health Science Center, Houston, Texas, on May 1, 2012. Respondent was licensed to practice professional nursing in the State of Texas on August 6, 2008, and was licensed to practice advanced practice registered nursing in the role

of a Family Nurse Practitioner with Prescription Authorization in the State of Texas on July 25, 2012.

5. Respondent's nursing employment history includes:

| | | |
|-----------------|----------------------|---|
| 8/2008 - 1/2012 | Intensive Care Nurse | Memorial Hermann - Texas Medical Center Houston, Texas |
|-----------------|----------------------|---|

| | | |
|-----------------|---------|--|
| 2/2012 - 7/2012 | Unknown | |
|-----------------|---------|--|

| | | |
|------------------|---------------------------|---|
| 8/2012 - Current | Family Nurse Practitioner | Advanced Essential Healthcare, Inc, who contracted with Grace Care Center of Katy Katy, Texas |
|------------------|---------------------------|---|

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Family Nurse Practitioner with Advanced Essential Healthcare, Inc, who contracted with Grace Care Center of Katy, Katy, Texas, and had been in that position for one (1) year and one (1) month.

7. On or about September 17, 2013, while employed as a Family Nurse Practitioner with Advanced Essential Healthcare, Inc, who contracted with Grace Care Center of Katy, Katy, Texas, Respondent failed to document her collaboration with the family and physician of Resident NR when discontinuing the blood sugar checks of Resident NR. Respondent's conduct resulted in an incomplete medical record and unnecessarily exposed the patient to a risk of harm from subsequent care decisions made without the benefit of complete information.

8. On or about September 27, 2013, while employed as a Family Nurse Practitioner with Advanced Essential Healthcare, Inc, who contracted with Grace Care Center of Katy, Katy, Texas, Respondent failed to document interventions in the medical record of the aforementioned Resident NR when she noted that the resident had a laboratory blood glucose result of fifty-three (53) mg/dL. Respondent's conduct resulted in an incomplete medical record.

9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she managed the resident's diabetes on her home regimen with Metformin and Glipizide with blood sugar checks performed before meals and before bed with sliding scale insulin until September 17, 2013, at which time the family requested the discontinuance of blood sugar checks due to the distress these checks caused the resident. Respondent relates that the resident's blood sugar was stable, and her HgA1C was 6.8 on

admission, indicating control of her diabetes, so she discontinued the blood sugar checks on a regular basis.

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)(D)&(4)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP122182 and Registered Nurse License Number 759664, heretofore issued to ASHLEY DAWN MILLER.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to 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.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education courses **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.
- B. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- C. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

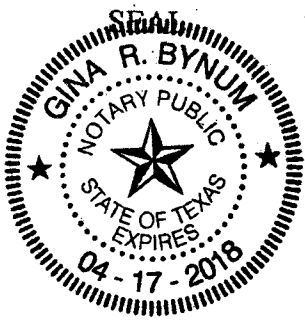
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 2 day of DEC, 2015.

Ashley Dawn Miller
ASHLEY DAWN MILLER, Respondent

Sworn to and subscribed before me this 2nd day of December, 2015.

Gina R. Bynum
Notary Public in and for the State of Texas



Approved as to form and substance.

Don Karotkin
Don Karotkin, Attorney for Respondent

Signed this 2nd day of December, 2015.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 2nd day of December, 2015, by ASHLEY DAWN MILLER, Advanced Practice Registered Nurse License Number AP122182 and Registered Nurse License Number 759664, and said Order is final.

Effective this 7th day of December, 2015.



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