



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.
William O'Hanrahan
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§
Privilege to Practice from Wisconsin	§
Registered License Number 195747 and	§
Texas Registered Nurse License Number 759452	§
issued to ASHLEY RITA ZABOJNIK	§

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Privilege to Practice from Wisconsin Registered License Number 195747 and Texas Registered Nurse License Number 759452, issued to ASHLEY RITA ZABOJNIK, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Wisconsin, a member State of the Nurse Licensure Compact, is in current status and her license to practice professional nursing in the State of Texas is in invalid status.
2. Respondent waived informal proceedings, notice and hearing.
3. Respondent received a Baccalaureate Degree from Marian College Fond du Lac, Fond du Lac, Wisconsin on May 17, 2008. Respondent was licensed to practice professional nursing in the State of Texas on August 5, 2008, and licensed to practice professional nursing in the State of Wisconsin on May 13, 2012.
4. Respondent's nursing employment history includes:

08/08-09/10	Registered Nurse	Children's Medical Center Dallas, Texas
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Respondent's nursing employment history continued:

09/10-03/11	Registered Nurse	Medical Center Dallas Hospital Dallas, Texas
03/11-08/12	Registered Nurse	Texas Health Presbyterian Hospital Dallas, Texas
09/12-07/14	Unknown	
08/14-10/14	Registered Nurse	Texas Health Presbyterian Hospital Dallas, Texas
11/14-present	Unknown	

5. On or about April 17, 2015, the Texas Board of Nursing provided notice to Respondent of the following allegations:
 - a. On or about October 23, 2014, while utilizing a Privilege to Practice (PTP) nursing from the State of Wisconsin and employed with Texas Health Presbyterian Hospital, Dallas, Texas, Respondent misappropriated security prescription paper.
 - b. On or about October 23, 2014, October 25, 2014, November 1, 2014, and November 18, 2014, while utilizing a Privilege to Practice (PTP) nursing from the State of Wisconsin and employed with Texas Health Presbyterian Hospital, Dallas, Texas, Respondent obtained and/or attempted to obtain Hydrocodone Chlorpheniramine (Tussionex) from multiple pharmacies throughout the Dallas, Texas area, including, but not limited to, Savon Pharmacy, Dallas, Texas, and Texas Health Prescription Shop, Dallas, Texas, under sixteen different names, through the use of fraudulent prescriptions, using the name and Drug Enforcement Agency (DEA) Number assigned to A.B., M.D.
 - c. On or about February 11, 2015, Respondent was arrested by the Dallas County Sheriff's Office, Dallas, Texas, for FRAUD DEL CS/PRESCRIPTION SCH II, a 2nd Degree felony offense.
6. On or about May 26, 2015, the Texas Board of Nursing provided notice to Respondent of the following allegations:
 - a. On or about December 1, 2014, Respondent may have lacked fitness to practice professional nursing in that she disclosed an addiction to opiates. Additionally, Respondent was in treatment at Green Oaks Day Hospital and under the care of W.E., M.D. Subsequently, Respondent referred herself to the Texas Peer Assistance

Program for Nurses (TPAPN), but was non-adherent, so her case was referred back to the board.

7. On or about April 13, 2016, Respondent entered a plea of guilty for FRAUD INTENT OBTAIN CS SCH I/II, a 2nd Degree felony offense committed on or about November 1, 2014, in the 265th Judicial District Court, Dallas County, Texas, under Case No. F-1549118-R and F-1549117-R. As a result of the plea, the proceedings against her were deferred, without entering an adjudication of guilt, and she was placed on community supervision for a period of four (4) years and ordered to pay a fine and court costs.
6. On July 8, 2016, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas along with all compact privileges attached to her license. A copy of Respondent's notarized statement, dated July 8, 2016, 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 §217.12(11)(B)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(3)&(10) and 304.001, Article 5, Texas Occupations Code, to take disciplinary action against Privilege to Practice from Wisconsin Registered License Number 195747 and Texas Registered Nurse License Number 759452, heretofore issued to ASHLEY RITA ZABOJNIK, including revocation of Respondent's license(s) to practice nursing in the State of Texas along with all compact privileges attached to her Texas License.
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.

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ORDER

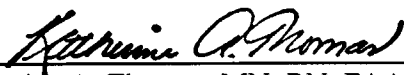
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Privilege to Practice from Wisconsin Registered License Number 195747 and Texas Registered Nurse License Number 759452, heretofore issued to ASHLEY RITA ZABOJNIK, to practice nursing in the State of Texas and all compact party states attached to her Texas license, 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 privilege/license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of privilege to practice/licensure until: at least 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/privileges to practice in Texas.

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 8 day of July, 2016.

TEXAS BOARD OF NURSING

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

ASHLEY RITA ZABOJNIK
c/o DEBORAH GOODALL, ATTORNEY
3131 MCKINNEY AVE STE 600
DALLAS, TX 75024
Registered Nurse License Number 759452

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license to practice in Texas along with all compact privileges attached to my Texas license. I 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

Date

Registered Nurse License Number 759452

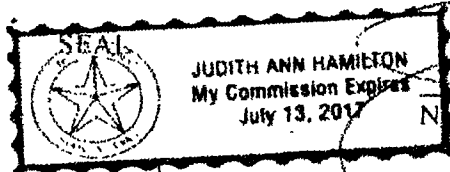
The State of Texas

Before me, the undersigned authority, on this date personally appeared ASHLEY RITA ZABOJNIK 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

day of

2016



Notary Public in and for the State of

Approved as to form and substance

Deborah Goodall, Attorney for Respondent

Date