



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 A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 581873 §
& Vocational Nurse License Number 132024 §
issued to BEVERLY ANN CLARK §

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 581873 and Vocational Nurse License Number 132024, issued to BEVERLY ANN CLARK, 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 and vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Temple Junior College, Temple, Texas, on December 19, 1990, and received an Associate Degree in Nursing from McLennan Community College, Waco, Texas on May 1, 1992. Respondent was licensed to practice vocational nursing in the State of Texas on May 30, 1991, and was licensed to practice professional nursing in the State of Texas on August 31, 1992.
4. Respondent's nursing employment history:

Unknown - 3/2016	RN	Baylor Scott & White Hospital Temple, Texas
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Respondent's nursing employment history continued:

4/2016 - Present

Unknown

5. On or about June 29, 2016, the Texas Board of Nursing provided notice to Respondent of the following allegations:
 - a. On or about September 28, 2015, October 9, 2015, and December 14, 2015, while employed as a Registered Nurse with Baylor Scott and White Hospital, Temple, Texas, Respondent falsely documented in Patient MRN 7303659's, Patient MRN 5846834's, and MRN 1246864's Medication Administration Records (MAR) in that Respondent documented she administered Hydrocodone to discharged patients.
 - b. On or about January 1, 2016 through March 14, 2016, while employed as a Registered Nurse with Baylor Scott and White Hospital, Temple, Texas, Respondent withdrew 29 Hydrocodone from the medication dispensing system (Pyxis) for patients but failed to document and/or accurately and completely document the administration of the medication in the patients' Medication Administration Record (MAR) and/or Nurses' Notes.
 - c. On or about January 1, 2016 through March 14, 2016, while employed as a Registered Nurse with Baylor Scott and White Hospital, Temple, Texas, Respondent withdrew Hydrocodone from the medication dispensing system (Pyxis) for patients but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications.
 - d. On or about January 1, 2016 through March 14, 2016, while employed as a Registered Nurse with Baylor Scott and White Hospital, Temple, Texas, Respondent misappropriated Hydrocodone from the facility and the patients thereof, or failed to take precautions to prevent such misappropriation. In addition, Respondent admitted she was taking Hydrocodone for herself.
6. On July 25, 2016, 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 July 22, 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 §217.11(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 581873 and Vocational Nurse License Number 132024, heretofore issued to BEVERLY ANN CLARK, including revocation of Respondent's licenses 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.

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ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 581873 and Vocational Nurse License Number 132024, heretofore issued to BEVERLY ANN CLARK, 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 or vocational nursing, use the title of "registered nurse" or "vocational nurse" or the abbreviation "RN" or "LVN" or wear any insignia identifying herself as a registered or vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered or vocational nurse during the period in which the licenses are surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of 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.

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 25th day of July, 2016.

TEXAS BOARD OF NURSING

By: 

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

BEVERLY ANN CLARK
3205 BRYKERWOOD RD
TEMPLE, TX 76502

Registered Nurse License Number 581873 and Vocational Nurse License Number 132024

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 Beverly Ann Clark

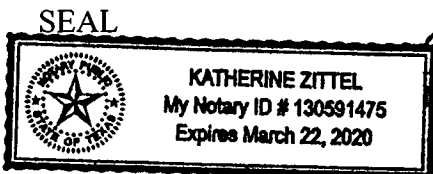
Date 7-22-16

Registered Nurse License Number 581873 and Vocational Nurse License Number 132024

The State of Texas

Before me, the undersigned authority, on this date personally appeared BEVERLY ANN CLARK 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 22nd day of July, 2016.



K. Zittel
Notary Public in and for the State of TX