



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 § AGREED
Registered Nurse License Number 692698 §
issued to ERIN ELIZABETH MONTGOMERY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ERIN ELIZABETH MONTGOMERY, Registered Nurse License Number 692698, 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)(1)&(10), 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 August 29, 2016.

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 suspended status.
4. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas on December 1, 2002. Respondent was licensed to practice professional nursing in the State of Texas on January 21, 2003.
5. Respondent's nursing employment history includes:

01/2003 - 07/2004	RN	Baptist St. Anthony Hospital Amarillo, Texas
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Respondent's nursing employment history continued:

07/2004 - 11/2004	RN	Coldwater Manor Stafford, Texas
11/2004 - 03/2010	RN	Northwest Texas Healthcare Amarillo, Texas
06/2008 - 09/2009	Contract RN	Otto Bock Healthcare Amarillo, Texas
09/2008 - 11/2009	RN	Nurses by Prescription Amarillo, Texas
09/2009 - 03/2010	Service Rep.	Otto Bock Healthcare Amarillo, Texas
03/2010 - 10/2011	RN	Covenant Health System Lubbock, Texas
07/2010 - 11/2010	RN Charge	Coldwater Manor Stratford, Texas
10/2011 - Present	RN	Healogics, Inc.

6. On January 17, 2014, Respondent's license to practice professional nursing in the State of Texas was issued a CONFIDENTIAL AGREED ORDER FOR PEER ASSISTANCE PROGRAM. The Findings of Fact, Conclusions of Law, and Agreed Order dated January 17, 2014 is attached and incorporated by reference, as part of this Order.
7. On or about May 31, 2016, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on January 17, 2014. Non-compliance is the result of her submitting a urine drug screen, requested by the Texas Peer Assistance Program for Nurses (TPAPN), that resulted positive for Ethyl Glucuronide 2,840ng/mL and Ethyl Sulfate 111ng/mL (metabolites of Alcohol). Stipulation Number Three (3), of the Order dated January 17, 2014, states in pertinent part:

"(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term..."

As a result of Respondent's non-compliance, on July 5, 2016, her case with TPAPN was closed and referred to the Board.

8. Respondent's last known date of sobriety is May 31, 2016 as indicated in Finding of Fact Number Seven (7).
9. 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.
10. Formal Charges were filed on August 15, 2016.
11. Formal Charges were mailed to Respondent on August 15, 2016.
12. Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
13. 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 substance use disorder.
14. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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(9)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 692698, heretofore issued to ERIN ELIZABETH MONTGOMERY, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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.
6. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 692698, previously issued to ERIN ELIZABETH MONTGOMERY, to practice nursing in Texas is hereby **SUSPENDED** and said suspension is **ENFORCED** until Respondent:

- A. **Applies to, is accepted into, and completes enrollment in the Texas Peer Assistance Program for Nurses (TPAPN)**, including payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00); and
- B. Waives confidentiality and **provides a copy of the fully executed TPAPN participation agreement to the Board.**

IT IS FURTHER AGREED, upon verification of successful completion of the above requirements, the Suspension will be **STAYED**, and RESPONDENT will be placed on **PROBATION** for such a time as is required for RESPONDENT to successfully complete the TPAPN **AND** until Respondent fulfills the additional requirements of this Order.

- C. RESPONDENT SHALL pay all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- D. RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.
- E. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.
- F. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- G. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- H. 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. SUPERCEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Order SHALL supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.

III. 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.

IV. 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 course(s) **within one (1) year of the suspension being stayed:**

A Board-approved 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.

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.*

V. FURTHER COMPLAINTS

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

VI. EFFECT OF NONCOMPLIANCE

SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

VII. 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. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the entry of this Order and all conditions of said Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30 day of August, 2016.
Erin Elizabeth Montgomery
ERIN ELIZABETH MONTGOMERY, Respondent

Sworn to and subscribed before me this 30 day of August, 2016.



Charon Thomas
Notary Public in and for the State of Texas

Approved as to form and substance.
Adiah Oriyomi
ADIAH ORUYOMI, Attorney for Respondent

Signed this 30th day of August, 2016.

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 30th day of August, 2016, by ERIN ELIZABETH MONTGOMERY, Registered Nurse License Number 692698, and said Order is final.

Effective this 1st day of September, 2016.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	CONFIDENTIAL
Registered Nurse License Number 692698	§	AGREED ORDER
issued to ERIN ELIZABETH MONTGOMERY	§	FOR
	§	PEER ASSISTANCE PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ERIN ELIZABETH MONTGOMERY, Registered Nurse License Number 692698, 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),(12)&(13) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 8, 2013.

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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas, on December 1, 2002. Respondent was licensed to practice professional nursing in the State of Texas on January 21, 2003.
5. Respondent's nursing employment history includes:

1/2003-7/2010

RN

Baptist St. Anthony Hospital
Amarillo, Texas

Respondent's nursing employment history continued:

11/2004-3/2010	RN	Northwest Texas Healthcare Amarillo, Texas
6/2008-9/2009	Contract RN	Otto Bock Healthcare Amarillo, Texas
9/2008-11/2009	RN	Nurses by Prescription Amarillo, Texas
9/2009-3/2010	Service Rep	Otto Bock Healthcare Amarillo, Texas
3/2010-10/2011	RN	Covenant Health System Lubbock, Texas
7/2010-11/2010	RN Charge	Coldwater Manor Stratford, Texas
11/2011-Present	Unknown	

6. On or about March 28, 2006, Respondent received the sanction of a Fine through an Agreed Order issued by the Texas Board of Nursing. A copy of the Agreed Order, Findings of Fact, and Conclusions of Law dated March 28, 2006, is attached and incorporated by reference as part of this Order.
7. At the time of the initial incident, Respondent was employed as a RN with Covenant Health System, Lubbock, Texas, and had been in this position for one (1) year and six (6) months.
8. On or about September 1, 2011, through September 25, 2011, while employed with Covenant Health System, Lubbock, Texas, Respondent withdrew Morphine, Hydrocodone, Promethazine, and Ondansetron for patients from the medication dispensing system, but failed to document or accurately and completely document the administration of the medications in the patients' Medication Administration Record (MAR) and/or nurse's notes, as follows:

Date	Patient #	Physician's Order	Medication Dispensing System Record Time and Quantity	Medication Administration Record	Nurses Notes -
9-1-11	6253757	Morphine 2-4mg IV q4h prn	Morphine 5mg/1ml vial 1448 (1)	No Entry	No Entry
9-1-11	6265197	Norco 5 1 to 2 tabs po q4h prn moderate pain	Hydrocodone+Acet 7.5-325mg tab 1533 (1)	No Entry	No Entry
9-11-11	6296252	Lortab 7.5mg 1-2 tabs po q 4-6 h prn pain	Hydrocodone+Acet 7.5-325mg tab 0849 (2)	No Entry	No Entry

9-14-11	6329594	Lortab 7.5mg 1 tab po q6h prn & sch	Hydrocodone+Acet 7.5-325mg tab 1023 (1)	No Entry	No Entry
9-15-11	6324210	Phenergan 6.25mg q5min IV prn	Promethazine Inj 25mg/1ml vial 1124 (1)	No Entry	No Entry
9-19-11	6368890	Dilaudid 1mg IV q 6-8 hrs prn pain	Hydromorphone Amp/Vial/Syr 2mg/1ml Inj 0954 (1)	No Entry	No Entry
9-20-11	6351517	Zofran 4mg i-ii tabs po q8h prn nausea (no IV access)	Ondansetron Inj 4mg/2ml Vial 1448 (1)	No Entry	No Entry
9-24-11	6355455	Lortab 7.5 1 tab po q6h prn pain	Hydrocodone+Acet 7.5-325mg tab 0900 (1)	No Entry	No Entry
9-24-11	6355455	Morphine 1-2mg SIVP q2h prn pain	Morphine Inj 5mg/1ml Vial 0900 (1)	No Entry	No Entry
9-25-11	638865	Norco 5 1 to 2 tablets po q4h prn moderate pain	Hydrocodone+Acet 7.5-325mg tab 1429 (2)	No Entry	No Entry
9-25-11	6355306	Norco 7.5-325mg tab po q6h sch	Hydrocodone+Acet 7.5-325mg tab 1733 (1)	No Entry	No Entry

Respondent's conduct resulted in an incomplete medical record and exposed the patient unnecessarily to a risk of harm in that subsequent care givers would rely on her documentation to provide further medicate the patients which could result in an overdose, and Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

9. On or about September 1, 2011, through September 25, 2011, while employed with Covenant Health System, Lubbock, Texas, Respondent withdrew Morphine, Hydrocodone, Promethazine, and Ondansetron for patients from the medication dispensing system, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications, as follows:

Date	Patient MR#	Physician's Order	Medication Dispensing System Record Time and Quantity	Medication Administration Record	Nurses Notes	Wastage
9-1-11	6253757	Morphine 2-4mg IV q4h prn	Morphine 5mg/1ml vial 1448 (1)	No Entry	No Entry	Not Documented
9-1-11	6265197	Norco 5 1 to 2 tabs po q4h prn moderate pain	Hydrocodone+Acet 7.5-325mg tab 1533 (1)	No Entry	No Entry	Not Documented
9-8-11	6296252	Demerol 75-100mg IM q 3-4 h prn pain	Meperidine Inj 50mg/1ml Amp 1444 (1)	1500 - 50mg	No Entry	Not Documented
9-11-11	6296252	Lortab 7.5mg 1-2 tabs po q 4-6 h prn pain	Hydrocodone+Acet 7.5-325mg tab 0849 (2)	No Entry	No Entry	Not Documented
9-14-11	6329594	Lortab 7.5mg 1 tab po q6h prn & sch	Hydrocodone+Acet 7.5-325mg tab 1023 (1)	No Entry	No Entry	Not Documented

9-15-11	6324210	Phenergan 6.25mg q5min IV prn	Promethazine Inj 25mg/1ml vial 1124 (1)	No Entry	No Entry	Not Documented
9-15-11	6329594	Morphine 1-2mg SIVP q2h prn	Morphine Inj 5mg/1ml vial 1530 (1)	1530 - 2mg	No Entry	Not Documented
9-16-11	6329594	Lortab 7.5mg 1 tab po q6h sch & prn	Hydrocodone+Acet 7.5-325mg tab 1650 (2)	1600 - 1 tab	No Entry	Not Documented
9-19-11	6368890	Dilaudid 1mg IV q 6-8 hrs prn pain	Hydromorphone Amp/Vial/Syr 2mg/1ml Inj 0954 (1)	No Entry	No Entry	Not Documented
9-19-11	6369018	Morphine 1-2mg IVP q4h prn severe pain	Morphine Inj 5mg/1ml vial 1836 (1)	1830 - 2mg	No Entry	Not Documented
9-20-11	6351517	Zofran 4mg i-ii tabs po q8h prn nausea (no IV access)	Ondansetron Inj 4mg/2ml Vial 1448 (1)	No Entry	No Entry	Not Documented
9-20-11	6338997	Phenergan 12.5-25mg IM q 3-4 h prn nausea	Promethazine Inj 25mg/1ml vial 1149 (1)	1130 - 12.5mg	No Entry	Not Documented
9-24-11	6355455	Lortab 7.5 1 tab po q6h prn pain	Hydrocodone+Acet 7.5-325mg tab 0900 (1)	No Entry	No Entry	Not Documented
9-24-11	6355455	Morphine 1-2mg SIVP q2h prn pain	Morphine Inj 5mg/1ml Vial 0900 (1)	No Entry	No Entry	Not Documented
9-25-11	638865	Norco 5 1 to 2 tablets po q4h prn moderate pain	Hydrocodone+Acet 7.5-325mg tab 1429 (2)	No Entry	No Entry	Not Documented
9-25-11	6355306	Norco 7.5-325mg tab po q6h sch	Hydrocodone+Acet 7.5-325mg tab 1733 (1)	No Entry	No Entry	Not Documented

Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

10. On or about September 8, 2011, while employed with Covenant Health System, Lubbock, Texas, Respondent withdrew Hydrocodone, Meperidine, and Promethazine from the Medication Dispensing System for Patient Number 6296252, in excess frequency and/or dosage of the physician's order, as follows:

Date	Patient #	Physician's Order	Medication Dispensing System Record Time and Quantity	Medication Administration Record	Nurses Notes
9-8-11	6296252	Lortab 7.5mg 1-2 po q 4-6 h prn pain OR Demerol 75-100mg & Phenergan 12.5-25mg IM q 3-4 h prn pain x 24 hours	Hydrocodone+Acet 7.5-325mg tab 1443 (2) Meperidine Inj 50mg/1ml Amp 1444 (1) Promethazine 25mg Vial 1444 (1)	1500 - 2tab 1500 - 50mg 1500 - 12.5mg IM	No Entry

Respondent's conduct was likely to injure the patient in that the administration of medication in excess frequency/dosage of the physicians orders could result in the patient suffering from adverse reactions, and is in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

11. On or about September 8, 2011, and September 20, 2011, while employed with Covenant Health System, Lubbock, Texas, Respondent failed to complete and document a Nursing Daily Assessment form for Patient Numbers 6296252 and 6338997. Respondent's conduct resulted in an incomplete medical record and exposed the patient unnecessarily to a risk of harm in that subsequent care givers would rely on her documentation to provide further care.
12. On or about June 2010, Respondent lacked fitness to practice nursing in that she was diagnosed and treated for a mental health condition that could result in an injury to a patient or the public. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
13. In response to Findings of Fact Numbers Eight (8) through Twelve (12), Respondent states, "In the Spring of 2011, I was diagnosed with bipolar disorder. I took a medical leave under FMLA to receive appropriate treatment for this disorder. I returned to work in August of 2011. Before my return to work in late August 2011, I contacted TPAPN for information, support, and advice in reference to my diagnosis. My mother also contacted TPAPN on my behalf to seek information, support, and advice for my return to work. My mother and I were both instructed to wait for instruction from the Board."
14. The Respondent's conduct described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
15. 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.
16. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder and mental illness.
17. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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),(1)(T)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(5),(6)(A),(6)(H),(10)(B),(10)(C)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 692698, heretofore issued to ERIN ELIZABETH MONTGOMERY, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that, while RESPONDENT remains in compliance with the terms of this Order, this Order shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should Respondent fail to successfully complete the terms of this Order or should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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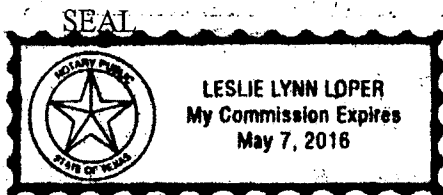
RESPONDENT'S CERTIFICATION

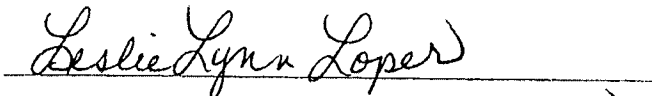
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 9 day of January, 2014.


ERIN ELIZABETH MONTGOMERY, RESPONDENT

Sworn to and subscribed before me this 9th day of January, 2014.




Notary Public in and for the State of Texas

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Confidential Agreed Order for Peer Assistance Program that was signed on the 9th day of January, 2014, by ERIN ELIZABETH MONTGOMERY, Registered Nurse License Number 692698, and said Order is final.

Entered and effective this 17th day of January, 2014.



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



**BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS**

In the Matter of License Number 692698
Issued to: ERIN ELIZABETH MONTGOMERY

§ AGREED
§ ORDER

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

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of ERIN ELIZABETH MONTGOMERY, License Number 692698, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.303 and Section 301.452(b)(1), Texas Occupations Code and 22 Texas Administrative Code, §216.

Respondent waived representation by counsel, informal conference, notice, hearing and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, Executive Director, on behalf of 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 and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent failed to make full and timely compliance with the Board's requirements for continuing education for the period ending 10/2005.

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. Evidence received was sufficient to prove violation of Section 301.303 and Section 301.452(b)(1) Texas Occupations Code, and 22 Texas Administrative Code §216.3.
4. Respondent's failure to comply with Continuing Education requirements is sufficient cause pursuant to Section 301.452(b) Texas Occupations Code to take disciplinary action against License Number 692698, heretofore issued to ERIN ELIZABETH MONTGOMERY, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, that RESPONDENT SHALL receive the sanction of a Fine in the amount of One Hundred Dollars (\$100), and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, Annotated, as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 Texas Administrative Code, §211.01 *et seq.*, and this Order.

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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 alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 this Order becomes final and effective when entered by the Executive Director and that 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3 day of march, 2006.

Erin Elizabeth Montgomery
ERIN ELIZABETH MONTGOMERY, Respondent

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas ratifies and acknowledges satisfaction of the requirements of the Agreed Order that was signed on the 3rd day of March, 2006, by ERIN ELIZABETH MONTGOMERY, License Number 692698, and said Order is final.

Signed this 28th day of March, 2006.

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