



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 § AGREED
Registered Nurse License Number 683724 §
issued to PATRICK JAMES MOWREY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PATRICK JAMES MOWREY, Registered Nurse License Number 683724, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

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

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.
4. Respondent received an Associate Degree in Nursing from Tarrant County Junior College, Fort Worth, Texas, on December 14, 2001. Respondent was licensed to practice professional nursing in the State of Texas on January 29, 2002.
5. Respondent's nursing employment history includes:

02/02 - 10/03	Unknown
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Respondent's nursing employment history continued:

11/03 - 05/04	RN	Casa Grand Regional Medical Center Casa Grande, Arizona
12/03 - 11/06	RN	Kforce Inc. San Diego, California
05/04 - 01/05	RN	Critical Nursing Solutions Phoenix, Arizona
10/06 - Unknown	RN	MGA Healthcare Staffing San Diego, California
12/08 - 01/12	Instructor	National University San Diego, California
08/12 - 01/13	Instructor	Shasta College of Nursing Redding, California
03/13 - Unknown	RN	San Joaquin Community Hospital Bakersfield, California
04/14 - Unknown	RN	Supplemental Healthcare Staffing Park City, Utah
05/14 - 07/14	RN	Baylor Regional Medical Center Plano, Texas
08/14 - Present	RN	Texas Health Resources HEB Bedford, Texas

6. On July 18, 2007, Respondent was issued the sanction of Remedial Education with a Fine by the Texas Board of Nursing. Respondent successfully completed the terms of the Agreed Order on February 28, 2008. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated July 18, 2007, is attached and incorporated, by reference, as part of this Order.
7. On or about January 21, 2016, Respondent's license to practice professional nursing in the State of Texas was issued a WARNING WITH STIPULATIONS. The Findings of Fact, Conclusions of Law, and Agreed Order dated January 21, 2016, is attached and incorporated by reference, as part of this Order.
8. On August 3, 2016, the Board of Registered Nursing for the State of California adopted the DECISION AND ORDER accepting the STIPULATED SURRENDER OF LICENSE AND

ORDER signed by Respondent on July 28, 2016. The Stipulated Surrender of License and Order dated July 28, 2016 and the Decision and Order dated August 3, 2016, is attached and incorporated by reference, as part of this Order.

9. On or about August 26, 2016, Respondent was noncompliant with the Agreed Order issued to him by the Texas Board of Nursing on January 21, 2016. A Noncompliance is the result of his failure to abstain from the consumption of alcohol in that Respondent submitted a specimen for a drug screen which resulted positive for Ethyl Glucuronide (EtG) and Ethyl Sulfate (EtS), metabolites of alcohol. Section (V) of the Agreed Order dated January, states, in pertinent part:
 - A. "While under the terms of this Order, RESPONDENT SHALL abstain from the use of alcohol, tramadol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose..."
10. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license(s) to practice nursing in the State of Texas.
11. 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.
12. 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).
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 683724, heretofore issued to PATRICK JAMES MOWREY, 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. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
7. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
8. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Registered Nurse License Number 683724, heretofore issued to PATRICK JAMES MOWREY, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself 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 license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
 - A. At least one (1) year has elapsed from the date of this Order; and
 - B. RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition for reinstatement.
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.

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. 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

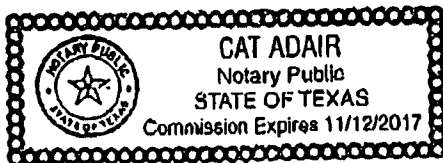
Signed this 7 day of OCTOBER, 2016
Patrick J Mowrey
PATRICK JAMES MOWREY, Respondent

Sworn to and subscribed before me this 7th day of OCTOBER, 2016.

SEAL

Cat Adair

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 the voluntary surrender of Registered Nurse License Number 683724, previously issued to PATRICK JAMES MOWREY.

Effective this 7th day of October, 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



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
Joseph Morris
Executive Director of the Board

I hereby certify the foregoing to be a true copy of the documents on file in our office
BOARD OF REGISTERED NURSING



Joseph L. Morris PhD MSN RN
Executive Officer

BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

PATRICK J. MOWREY

Registered Nurse License No. 658858

Case No. 2016-1077

Respondent.

DECISION AND ORDER

Pursuant to Title 16 of the California Code of Regulations, section 1403, the attached Stipulated Settlement is hereby adopted by the Board of Registered Nursing as its Decision and Order in the above-entitled matter.

This Decision shall become effective on August 03, 2016

IT IS SO ORDERED this 3rd day of August, 2016

for Joseph Morris

Joseph Morris, PhD, MSN, RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California



1 KAMALA D. HARRIS
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 ERIN M. SUNSERI
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6 San Diego, CA 92186-5266
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7 Facsimile: (619) 645-2061
Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2016-1077

12 **PATRICK J. MOWREY**
13 **2502 Central Drive, Apt. 312**
14 **Bedford, TX 76021**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 **Registered Nurse License No. 658858**

16 Respondent.

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN was the Executive Officer of the Board. She brought
22 this action solely in her official capacity. This matter is currently brought by Joseph L. Morris,
23 PhD, MSN, RN (Complainant) solely in his official capacity as the Executive Officer of the
24 Board and is represented in this matter by Kamala D. Harris, Attorney General of the State of
25 California, by Erin M. Sunseri, Deputy Attorney General.

26 2. Patrick J. Mowrey (Respondent) is representing himself in this proceeding and has
27 chosen not to exercise his right to be represented by counsel.

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1 3. On or about June 13, 2005, the Board of Registered Nursing issued Registered Nurse
2 License No. 658858 to Respondent. The Registered Nurse License was in full force and effect at
3 all times relevant to the charges brought in Accusation No. 2016-1077 and will expire on
4 February 28, 2017, unless renewed.

5 **JURISDICTION**

6 4. Accusation No. 2016-1077 was filed before the Board of Registered Nursing (Board),
7 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
8 and all other statutorily required documents were properly served on Respondent on May 4, 2016.
9 Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation
10 No. 2016-1077 is attached as Exhibit A and incorporated by reference.

11 **ADVISEMENT AND WAIVERS**

12 5. Respondent has carefully read, and understands the charges and allegations in
13 Accusation No. 2016-1077. Respondent also has carefully read, and understands the effects of
14 this Stipulated Surrender of License and Order.

15 6. Respondent is fully aware of his legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
17 his own expense; the right to confront and cross-examine the witnesses against him; the right to
18 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
19 the attendance of witnesses and the production of documents; the right to reconsideration and
20 court review of an adverse decision; and all other rights accorded by the California
21 Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
23 every right set forth above.

24 **CULPABILITY**

25 8. Respondent admits the truth of each and every charge and allegation in Accusation
26 No. 2016-1077, agrees that cause exists for discipline and hereby surrenders his Registered Nurse
27 License No. 658858 for the Board's formal acceptance.

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1 9. Respondent understands that by signing this stipulation he enables the Board to issue
2 an order accepting the surrender of his Registered Nurse License without further process.

3 CONTINGENCY

4 10. This stipulation shall be subject to approval by the Board of Registered Nursing.
5 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
6 Registered Nursing may communicate directly with the Board regarding this stipulation and
7 surrender, without notice to or participation by Respondent. By signing the stipulation,
8 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the
9 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
10 stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of
11 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
12 the parties, and the Board shall not be disqualified from further action by having considered this
13 matter.

14 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
15 copies of this Stipulated Surrender of License and Order, including Portable Document Format
16 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

17 12. This Stipulated Surrender of License and Order is intended by the parties to be an
18 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
19 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
20 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
21 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
22 executed by an authorized representative of each of the parties.

23 13. In consideration of the foregoing admissions and stipulations, the parties agree that
24 the Board may, without further notice or formal proceeding, issue and enter the following Order:

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ORDER

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2 IT IS HEREBY ORDERED that Registered Nurse License No. 658858, issued to
3 Respondent Patrick J. Mowrey, is surrendered and accepted by the Board of Registered Nursing.

4 1. The surrender of Respondent's Registered Nurse License and the acceptance of the
5 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
6 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
7 license history with the Board of Registered Nursing.

8 2. Respondent shall lose all rights and privileges as a registered nurse in California as of
9 the effective date of the Board's Decision and Order.

10 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
11 issued, his wall certificate on or before the effective date of the Decision and Order.

12 4. If Respondent ever files an application for licensure or a petition for reinstatement in
13 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
14 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
15 effect at the time the petition is filed, and all of the charges and allegations contained in
16 Accusation No. 2016-1077 shall be deemed to be true, correct and admitted by Respondent when
17 the Board determines whether to grant or deny the petition.

18 5. If and when Respondent's license is reinstated, he shall pay to the Board costs
19 associated with its investigation and enforcement pursuant to Business and Professions Code
20 section 125.3 in the amount of \$1,235.00. Respondent shall be permitted to pay these costs in a
21 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the
22 Board from reducing the amount of cost recovery upon reinstatement of the license.

23 6. If Respondent should ever apply or reapply for a new license or certification, or
24 petition for reinstatement of a license, by any other health care licensing agency in the State of
25 California, all of the charges and allegations contained in Accusation, No. 2016-1077 shall be
26 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
27 Issues or any other proceeding seeking to deny or restrict licensure.

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7. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: July 28, 2016

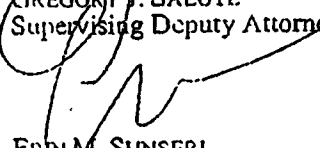

PATRICK J. MOWREY
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 7/28/16

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General


ERIN M. SUNSERI
Deputy Attorney General
Attorneys for Complainant



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2 GREGORY J. SALUTE
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Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11
12 In the Matter of the Accusation Against:

Case No. 2016-1077

13 **PATRICK J. MOWREY**
2502 Central Drive, Apt. 312
14 Bedford, TX 76021

A C C U S A T I O N

15 Registered Nurse License No. 658858

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
22 Department of Consumer Affairs.

23 2. On or about June 13, 2005, the Board issued Registered Nurse License Number
24 658858 to Patrick J. Mowrey (Respondent). The Registered Nurse License was in full force and
25 effect at all times relevant to the charges brought herein and will expire on February 28, 2017,
26 unless renewed.

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JURISDICTION

12 3. This Accusation is brought before the Board under the authority of the following
13 laws. All section references are to the Business and Professions Code (Code) unless otherwise
14 indicated.

15 4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline
16 any licensee, including a licensee holding a temporary or an inactive license, for any reason
17 provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

18 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
19 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
20 licensee or to render a decision imposing discipline on the license.

STATUTORY PROVISIONS

21 6. Section 2761 of the Code states:

22 The board may take disciplinary action against a certified or licensed nurse or
23 deny an application for a certificate or license for any of the following:

24 (a) Unprofessional conduct, which includes, but is not limited to, the
25 following:

26

27 (4) Denial of licensure, revocation, suspension, restriction, or any other
28 disciplinary action against a health care professional license or certificate by another
state or territory of the United States, by any other government agency, or by another
California health care professional licensing board. A certified copy of the decision
or judgment shall be conclusive evidence of that action. . . .

COSTS

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
administrative law judge to direct a licentiate found to have committed a violation or violations of
the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
included in a stipulated settlement.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Out-of-State Discipline by the Texas Board of Nursing on July 18, 2007)**

3 8. Respondent has subjected his license to disciplinary action under section 2761(a)(4)
4 of the Code in that his Texas registered nurse license was disciplined by the Texas Board of
5 Nursing. The circumstances are as follows:

6 9. Information received by the Texas Board of Nursing (Texas Board) produced
7 evidence that Respondent may have violated the Texas Occupations Code. Respondent waived
8 representation by counsel, informal conference, notice and hearing, and agreed to the entry of an
9 order.

10 10. In its findings of facts, the Texas Board found that on or about November 20, 2001,
11 Respondent submitted an Application by Exam to the Texas Board. Respondent attested to true
12 to the following statement: "I have never been convicted of any crime other than a minor traffic
13 violation." Respondent was issued a license as a registered nurse on January 29, 2002.

14 11. On his application for renewal dated on or about April 2, 2007, Respondent answered
15 "Yes" to the question regarding convictions ("Have you ever been convicted . . .?") Respondent
16 disclosed that he had been convicted for driving while intoxicated in 1979, and driving under the
17 influence in 1992. The Board found that Respondent provided false, deceptive and/or misleading
18 information on his original application submitted on November 20, 2001.

19 12. The Texas Board concluded that the evidence was sufficient to prove violations of the
20 Texas Occupations Code section 301.452:

21 (b) A person is subject to denial of a license or to disciplinary action under this
22 subchapter for:

23 (2) fraud or deceit in procuring or attempting to procure a license to
practice professional nursing or vocational nursing; and

24 (10) unprofessional or dishonorable conduct that, in the board's opinion,
25 is likely to deceive, defraud, or injure a patient or the public.

26 13. Effective July 18, 2007, Respondent entered into an Agreed Order with the Texas
27 Board imposing a sanction of Remedial Education With a Fine. While Respondent's registered
28 nurse license was encumbered by the Texas Board, he would not be permitted to work outside the

1 state pursuant to a multistate licensure privilege without permission from the Texas Board.

2 Within one year of the entry of the Order, Respondent was required to complete a course in Texas
3 jurisprudence and ethics, and pay a monetary fine in the amount of \$250.00.

4 **SECOND CAUSE FOR DISCIPLINE**

5 **(Out-of-State Discipline by the Texas Board of Nursing on January 21, 2016)**

6 14. Respondent has subjected his license to disciplinary action under section 2761(a)(4)
7 of the Code in that his Texas registered nurse license was disciplined by the Texas Board of
8 Nursing. The circumstances are as follows:

9 15. Information received by the Texas Board of Nursing (Texas Board) produced
10 evidence that Respondent may have violated the Texas Occupations Code. Respondent waived
11 representation by counsel, informal conference, notice and hearing, and agreed to the entry of an
12 order.

13 16. In its findings of facts, the Texas Board found that on or about May 2, 2014, through
14 June 11, 2014, while employed as a registered nurse with a nurse registry, and assigned to Baylor
15 Regional Medical Center in Plano, Texas, Respondent withdrew from the automated medication
16 dispensing system four (4) tablets of hydrocodone for three separate patients, and two (2)
17 milligrams of hydromorphone for two separate patients. Respondent failed to document, or
18 accurately document the administration of the medications in the patient's Medication
19 Administration Record and/or nurse's note, and failed to follow the hospital's policy for the
20 wastage of the unused portions of the medications.

21 17. Respondent underwent a chemical dependency evaluation on April 1, 2015. The
22 evaluator opined that Respondent did not present with any type of alcohol or drug use problems,
23 but recommended that the Texas Board consider requiring a year of random drug screens due to
24 Respondent's failure to properly document his handling of narcotics.

25 18. The Texas Board concluded that the evidence was sufficient to prove violations of the
26 Texas Administrative Code sections 217.12 and as follows:

27 (1) Unsafe Practice—actions or conduct including, but not limited to:

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1 (A) Carelessly failing, repeatedly failing, or exhibiting an inability to
2 perform vocational, registered, or advanced practice nursing in conformity with the
standards of minimum acceptable level of nursing practice set out in Rule 217.11.

3 (B) Carelessly or repeatedly failing to conform to generally accepted
4 nursing standards in applicable practice settings;

5 (C) Improper management of client records;

6 (4) Careless or repetitive conduct that may endanger a client's life, health, or
7 safety. Actual injury to a client need not be established.

8 (6) Misconduct—actions or conduct that include, but are not limited to:

9 (A) Falsifying reports, client documentation, agency records or other
10 documents;

11 (H) Providing information which was false, deceptive, or misleading in
12 connection with the practice of nursing;

13 (10) Other Drug Related—actions or conduct that include, but are not limited
14 to:

15 (B) Falsification of or making incorrect, inconsistent, or unintelligible
16 entries in any agency, client, or other record pertaining to drugs or controlled
17 substances;

18 (C) Failing to follow the policy and procedure in place for the wastage of
19 medications at the facility where the nurse was employed or working at the time of
20 the incident(s);

21 (11) Unlawful Practice—actions or conduct that include, but are not limited to:

22 (B) Violating an order of the board, or carelessly or repetitively violating
23 a state or federal law relating to the practice of vocational, registered or advanced
24 practice nursing, or violating a state or federal narcotics or controlled substance law;

25 19. Effective January 21, 2016, Respondent entered into an Agreed Order with the Texas
26 Board imposing a sanction of Warning With Stipulations. Within one year of the entry of the
27 Order, Respondent is required to complete courses in Texas jurisprudence and ethics, nursing
28 documentation, and "Sharpening Critical Thinking Skills." Respondent is required to work as a
nurse providing direct patient care for a minimum of 64 hours per month for four quarterly
periods (one year). Additional terms included, but were not limited to, abstaining from the use of
alcohol, tramadol, and all controlled substances unless legally prescribed; submitting to random
screens for banned substances; notifying present and future employers of the disciplinary action;
and submitting nursing performance evaluations.



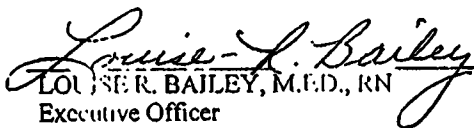
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 658858, issued to Patrick J. Mowrey;
2. Ordering Patrick J. Mowrey to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: May 04, 2016


LOUISE R. BAILEY, M.F.D., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

SD2016700599
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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 683724 §
issued to PATRICK JAMES MOWREY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PATRICK JAMES MOWREY, Registered Nurse License Number 683724, 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 July 24, 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.
4. Respondent received an Associate Degree in Nursing from Tarrant County Junior College, Fort Worth, Texas, on December 14, 2001. Respondent was licensed to practice professional nursing in the State of Texas on January 29, 2002.
5. Respondent's nursing employment history includes:
02/02 - 10/03 Unknown

Respondent's nursing employment history continued:

11/03 - 05/04 RN Casa Grand Regional Medical Center
Casa Grande, Arizona

12/03 - 11/06 RN Kforce Inc.
San Diego, California

05/04 - 01/05 RN Critical Nursing Solutions
Phoenix, Arizona

10/06 - Unknown RN MGA Healthcare Staffing
San Diego, California

12/08 - 01/12 Instructor National University
San Diego, California

08/12 - 01/13 Instructor Shasta College of Nursing
Redding, California

03/13 - Unknown RN San Joaquin Community Hospital
Bakersfield, California

04/14 - Unknown RN Supplemental Healthcare Staffing
Park City, Utah

05/14 - 07/14 RN Baylor Regional Medical Center
Plano, Texas

08/14 - Present Unknown

6. On July 18, 2007, Respondent was issued the sanction of Remedial Education with a Fine by the Texas Board of Nursing. Respondent successfully completed the terms of the Agreed Order on February 28, 2008. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated July 18, 2007, is attached and incorporated, by reference, as part of this Order.
7. At the time of the initial incident, Respondent was employed as a Registered Nurse with Supplemental Healthcare Staffing, Park City, Utah, and was on assignment at Baylor Regional Medical Center, Plano, Texas, and had been in that position for one (1) day.
8. On or about May 2, 2014, through June 11, 2014, while employed as a Registered Nurse with Supplemental Healthcare Staffing, Park City, Utah, and on assignment at Baylor Regional

Medical Center, Plano, Texas, Respondent withdrew four (4) tabs of Hydrocodone for Patient Medical Record Numbers 100511927, 100511450 and 100518669, and two (2) milligrams of Hydromorphone for Patient Medical Record Numbers 100515670 and 100518669 from the Medication Dispensing System, but failed to document, or accurately document, the administration of the medications in the patients' Medication Administration Records and/or Nurse's Notes, and failed to follow the facility's policy and procedure for the wastage of any of the unused portions of the medications. Respondent's conduct created an inaccurate medical record and was likely to injure the patients in that subsequent care givers would rely on his documentation to further medicate the patients which could result in an overdose. Additionally, Respondent's conduct left medications unaccounted for and placed the pharmacy in violation of the Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

9. ~~On or about April 1, 2015, Respondent presented for a Chemical Dependency Evaluation to Dr. Jim Womack. Dr. Womack states that based on Respondent's evaluation, Respondent does not currently present with any type of alcohol or drug use problems, and he could perform his duties as a nurse with reasonable skill and safety to his patients; however, Dr. Womack opines that given the degree of Respondent's documented failures to properly document the handling of narcotics, he believes the Board should consider requiring a year of random drug screens.~~

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), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(H),(10)(B),(10)(C)&(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 683724, heretofore issued to PATRICK JAMES MOWREY.
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 **WARNING WITH STIPULATIONS** 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 course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **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..
- 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. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
-

- C. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- D. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.
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V. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, RESPONDENT SHALL abstain from the use of alcohol, tramadol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, 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. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.
- B. While working as a nurse under the terms of this Order, RESPONDENT SHALL submit to random periodic screens for alcohol, tramadol, and controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when Respondent obtains employment and submits the Notification of Employment form to the Board.
- For the first three (3) month [1st quarter] period RESPONDENT works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
 - For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
 - For the next six (6) month period [3rd & 4th quarters], random screens shall be performed at least once per month.
 - For the remainder of the stipulation/probation period, if any, random screens shall be performed at least once every three (3) month quarterly period.
-



All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board. Any test result for a period of time in which the RESPONDENT is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

Specimens shall be screened for at least the following substances and their metabolites:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the stipulation period and require RESPONDENT to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which RESPONDENT does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject RESPONDENT to 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. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

VI. 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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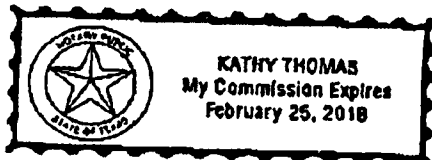
RESPONDENT'S CERTIFICATION

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 4th day of November, 2015.
Patrick J. Mowrey
PATRICK JAMES MOWREY, Respondent

Sworn to and subscribed before me this 4th day of November, 2015.

SEAL



Kathy Thomas
Notary Public in and for the State of Texas
County of Tarrant

Approved as to form and substance.

Taralynn R. Mackay
Taralynn Mackay, Attorney for Respondent

Signed this 4th day of November, 2015.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 4th day of November, 2015, by PATRICK JAMES MOWREY, Registered Nurse License Number 683724, and said Order is final.

Effective this 21st day of January, 2016.



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



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 BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse § AGREED
License Number 683724 §
issued to PATRICK JAMES MOWREY § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter refer
to as the Board, considered the matter of PATRICK JAMES MOWREY, Registered Nurse License
Number 683724, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have
violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation
by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on
May 14, 2007, by Katherine A. Thomas, MN, RN, Executive Director.

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 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 Tarrant County Junior College, Fort Worth, Texas, on December 14, 2001. Respondent was licensed to practice professional nursing in the State of Texas on January 29, 2002.
5. Respondent's complete professional nursing employment history is unknown.

6. On or about April 2, 2007, Respondent submitted a renewal application to the Board of Nurse Examiners for the State of Texas in which he answered "Yes" to the following question: "Have you ever been convicted....?" Respondent disclosed the following offenses:
 - A. On or about April 24, 1979, Respondent was convicted of Driving While Intoxicated. Respondent was sentenced to six (6) months probation and assessed a fine.
 - B. On or about July 17, 1992, Respondent was arrested for Driving Under the Influence-Liquor, by the Milam County Sheriffs Office, Cameron, Texas. Respondent was convicted and sentenced to two (2) years probation and assessed three hundred thirty-eight dollars (\$338.00) in fines and court costs.
7. On or about November 20, 2001, Respondent submitted an Application By Examination to the Board of Nurse Examiners for the State of Texas in which he provided false, deceptive, and/or misleading information, in that he attested to true to the following statement, "I have never been convicted of any crime other than a minor traffic violation." Respondent failed to disclose the previous convictions outlined in Finding of Fact Number Six (6).

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 violations of Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(23).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 683724, heretofore issued to PATRICK JAMES MOWREY, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing



EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *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 and ORDERED that this Order SHALL be applicable~~
to Respondent's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is 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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to PATRICK JAMES MOWREY to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact 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 Chemical Dependency, and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to

~~verify RESPONDENT's successful completion of the course. This course shall be taken in addition~~

to any other courses stipulated in this Order, if any, and in addition to any continuing education

requirements the Board has for relicensure. *Board-approved courses may be found at the following*

Board website address: <http://www.bne.state.tx.us/about/stipscourses.html>.

(3) RESPONDENT SHALL pay a monetary fine in the amount of Two Hundred Fifty Dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional 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 violations 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 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11 day of July, 2007
Patrick J. Mowrey
PATRICK JAMES MOWREY, Respondent

Sworn to and subscribed before me this 11th day of July, 2007.

SEAL

[Signature]
Notary Public in and for the State of California



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 11th day of July, 2007, by PATRICK JAMES MOWREY, Registered Nurse License Number 683724, and said Order is final.

Effective this 18th day of July, 2007.



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