



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 772938 §
issued to FATIMA NICOLE BROWN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of FATIMA NICOLE BROWN, Registered Nurse License Number 772938, 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 4, 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 is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree from Navarro College, Corsicana, Texas, on May 9, 2009. Respondent was licensed to practice professional nursing in the State of Texas on July 16, 2009.
5. 09/09 - 11/10 RN Methodist Charlton Medical Center
Dallas, Texas
12/10 - Present Unknown

6. On or about August 6, 2013, Respondent's license to practice professional nursing in the State of Texas was issued an AGREED ORDER requiring her to enroll and complete Texas Peer Assistance Program for Nurses (TPAPN). The Findings of Fact, Conclusions of Law, and Agreed Order dated August 6, 2016 is attached and incorporated by reference, as part of this Order.
7. On or about July 21, 2016, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on August 6, 2013. Non-compliance is the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) participation agreement. Stipulation number four (4) of the Agreed Order dated August 6, 2013, states:

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

On or about July 21, 2016, Respondent was dismissed from the Texas Peer Assistance Program for Nurses (TPAPN) due to her deteriorating health not allowing her to work.

8. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(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 772938, heretofore issued to FATIMA NICOLE BROWN, 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.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **LIMITED LICENSE WITH STIPULATIONS** in accordance with the terms of this Order.

- A. While under the terms of this Order, **RESPONDENT SHALL NOT provide direct patient care.** For the purposes of this Order, direct patient care involves a personal relationship between the nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.
- B. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- C. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. 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. 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.

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 entry of this Order:**

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. RESTORATION OF PATIENT CARE PRIVILEGE AND/OR UNENCUMBERED LICENSE(S)

SHOULD RESPONDENT desire to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before re-issuance of an unencumbered license, which, at a minimum, shall include any remedial education courses, work restrictions, supervised practice, and/or employer reporting which would have been requirements of this Order had the license(s) not been placed in limited status.

RESPONDENT'S CERTIFICATION

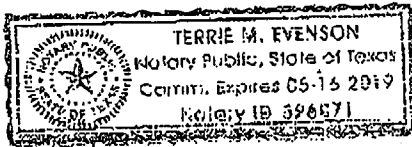
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 31 day of August, 2016.

Fatima Nicole Brown
FATIMA NICOLE BROWN, Respondent

Sworn to and subscribed before me this 31st day of AUGUST, 2016.

SEAL



Terrie M Evenson

Notary Public in and for the State of TEXAS

Approved as to form and substance.

Nancy Roper Willson
Nancy Roper Willson, Attorney for Respondent

Signed this 2nd day of September, 2016

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 31st day of August, 2016, by FATIMA NICOLE BROWN, Registered Nurse License Number 772938, and said Order is final.

Effective this 27th day of October, 2016.



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



Executive Director of the Board
Katherine A. Thomas
is on file or is of record in the offices of the
Texas Board of Nursing.

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 772938 §
issued to FATIMA NICOLE BROWN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of FATIMA NICOLE BROWN, Registered Nurse License Number 772938, 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 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 July 12, 2013, subject to ratification by 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(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 from Navarro College, Corsicana, Texas, on May 9, 2009. Respondent was licensed to practice professional nursing in the State of Texas on July 16, 2009.
5. Respondent's professional nursing employment history includes:

09/09 - 11/10	RN	Methodist Charlton Medical Center Dallas, Texas
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Respondent's professional nursing employment history continued:

12/10 - Present Unknown

6. On or about October 15, 2010, through October 19, 2010, while employed as a Registered Nurse with Methodist Charlton Medical Center, Dallas, Texas, Respondent withdrew Lorazepam and Promethazine for Patient # CA0214726283, Patient # CA0214705212 & Patient # CA0214751760, but failed to properly waste unused portions, if any, of the medication, as follows:

Date/Time	Patient Medical Record Number	Controlled Substance Record	Physicians Orders	Medication Administration Record (MAR)	Nursing Notes	Wastage
10/15/10 15:54	CA0214726283	(1) Vial of Lorazepam 2mg/1ml 1ml Vial	Lorazepam 0.5mg Q 4hrs PRN IV	0.5mg 15:56	16:01: Ativan given for Anxiety	None
10/19/10 10:03	CA0214705212	(1) Vial of Lorazepam 2mg/1ml 1ml Vial	Lorazepam 0.25mg IV Q 6hr PRN	0.25mg 10:29	Not documented as administered	1.75mg 17:24
10/19/10 10:36	CA0214705212	(1) Vial of Lorazepam 2mg/1ml 1ml Vial	Lorazepam 0.25mg IV Q 6hr PRN	Not documented as administered	Not documented as administered	None
10/19/10 19:28	CA0214751760	(1) Injection of Promethazine 25mg	Promethazine 12.5mg IV Q 4hr PRN	12.5mg 19:38	Not documented as administered	None

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substance Act).

7. On or about October 19, 2010, while employed as a Registered Nurse with Methodist Charlton Medical Center, Dallas, Texas, Respondent withdrew Lorazepam for Patient # CA0214705212, but failed to completely and accurately document the administration of the medications, including the signs, symptoms and responses to the medications administered in the patients' Medication Administration Record and/or Nurses Notes, as follows:

Date/Time	Patient Medical Record Number	Controlled Substance Record	Physicians Orders	Medication Administration Record (MAR)	Nursing Notes	Wastage
10/19/10 10:36	CA0214705212	(1) Vial of Lorazepam 2mg/1ml 1ml Vial	Lorazepam 0.25mg IV Q 6hr PRN	Not documented as administered	Not documented as administered	None

Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

8. On or about October 15, 2010, through October 19, 2010, while employed as a Registered Nurse with Methodist Charlton Medical Center, Dallas, Texas, Respondent misappropriated Lorazepam and Promethazine belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud

the facility and patients of the cost of the medication.

9. On or about September 5, 2012, Respondent defaulted on her Texas Guaranteed Student Loan, as provided in Section 57.491 of the Texas Education Code. Respondent's failure to repay her Texas Guaranteed Student Loan may have deprived other applicants of funds for higher education loans.
10. The 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.
11. 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.
12. Formal Charges were filed on February 4, 2013.
13. Formal Charges were mailed to Respondent on February 4, 2013.
14. First Amended Formal Charges were filed on June 24, 2013.
15. First Amended Formal Charges were mailed to Respondent on June 27, 2013.
16. Second Amended Formal Charges were filed on July 3, 2013.
17. Second Amended Formal Charges were mailed to Respondent on July 3, 2013.
18. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
19. 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 § 217.11(1)(A),(B) & (D)(iv), and 22 TEX. ADMIN. CODE § 217.12(1)(A),(B),(4),(6)(G),(7),(8),(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 772938, heretofore issued to FATIMA NICOLE BROWN, 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, subject to ratification by the Texas Board of Nursing, that , Registered Nurse License Number 772938, and Vocational Nurse License Number 0, previously issued to FATIMA NICOLE BROWN, to practice nursing in Texas is/are hereby SUSPENDED and said suspension is ENFORCED until Respondent completes the following requirements:

(1) RESPONDENT SHALL initiate contact with the Texas Guaranteed Student Loan Corporation and make arrangements to repay the student loan. Upon approval of a repayment contract with the Texas Guaranteed Student Loan Corporation, RESPONDENT SHALL CAUSE the Texas Guaranteed Student Loan Corporation to submit verification of the defaulted loan's repayment status directly to the Board.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this order the Respondent may not work outside the State of Texas pursuant to a

nurse licensure compact 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, upon verification of successful completion of the above requirements, the Suspension will be STAYED, and RESPONDENT will be placed on PROBATION for such time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(2) RESPONDENT SHALL, within forty-five (45) days following the suspension being stayed, 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.

(3) 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.

(4) 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.

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

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.

RESPONDENT SHALL 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.

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, 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.

IT IS FURTHER AGREED and ORDERED that 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.

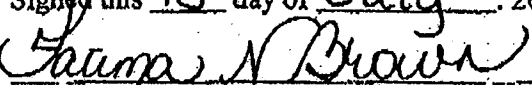
IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

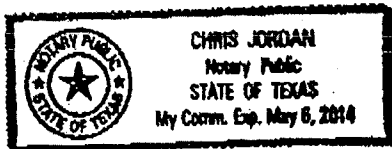
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Stipulation Numbers One (1) through Five (5) 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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 15 day of July, 2013.

 FATIMA NICOLE BROWN, Respondent

Sworn to and subscribed before me this 15 day of July, 2013.

SEAL


 Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 15th day of July, 2013, by FATIMA NICOLE BROWN, Registered Nurse License Number 772938, and said Order is final.

Effective this 6th day of August, 2013.



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