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Patricia Clapp
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 652960 §
issued to NICOLE LUCIANA HARPER, §
aka NICOLE LUCIANA SMITH-MCDAVID, §
PETITIONER for Exception §

ORDER GRANTING PETITIONER'S REQUEST FOR EXCEPTION

A public meeting of the Eligibility and Disciplinary Committee of the Board, hereinafter referred to as the Committee, was held on May 9, 2017, at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, to consider the Petition for Exception and supporting documents filed by NICOLE LUCIANA HARPER, hereinafter referred to as PETITIONER.

PETITIONER appeared in person.

Board Members in attendance were: Patricia Clapp, BA; Kathy Shipp, MSN, RN, FNP; Kathy Leader-Horn, LVN; and Francis D. Stokes. Staff present were: Katherine A. Thomas, MN, RN, FAAN, Executive Director; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; John De La Rosa, Investigator; Kathy Hoffman, Legal Assistant Supervisor; Krystal Mendoza, Legal Assistant; and Diane E. Burell, Compliance Supervisor.

After review and due consideration of the filed Petition, the Committee voted to GRANT the Petition for Exception.

Therefore, Petitioner is required to comply with and complete all of the requirements of the October 17, 2013, Agreed Order, except that Petitioner is expressly permitted to work at Shapes Targeted Fat Loss & Wellness Centers, Frisco, Texas, and Stipulation Number (7a) is added as follows:

- (7a) While employed as a Registered Nurse with Shapes Targeted Fat Loss & Wellness Centers, Frisco, Texas, RESPONDENT SHALL CAUSE the Shapes Targeted Fat Loss & Wellness Centers 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. Should RESPONDENT'S employment with Shapes Targeted Fat Loss & Wellness Centers terminate for any reason during the term of this Order, RESPONDENT SHALL be required to comply with Stipulations Seven (7), Eight (8) and twelve (12) of the Order as written. Further, while employed as a Registered Nurse with Shapes Targeted Fat Loss & Wellness Centers, Frisco, Texas, 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 employer and submitted to the office of the Board at the end of each three (3) month period for three (3) year(s) of employment as a nurse.

PETITIONER is responsible for completing all remaining requirements of the September 13, 2016, Agreed Order as written in that Order.

Entered this 9th day of May, 2017.



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