

IN THE MATTER OF PERMANENT
REGISTERED NURSE
LICENSE NUMBER 868949
ISSUED TO
JILL MARIE RUPP,
RESPONDENT

§ BEFORE THE TEXAS
§
§ BOARD OF NURSING
§
§ ELIGIBILITY AND
§
§ DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: JILL MARIE RUPP
4611 E HOUSTON ST APT 503
SAN ANTONIO, TX 78220

During open meeting held in Austin, Texas, on June 13, 2017, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 868949, previously issued to JILL MARIE RUPP, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 13th day of June, 2017.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed January 31, 2017.

d17r(RN)(2016.05.11)

Re: Permanent Registered Nurse License Number 868949

Issued to JILL MARIE RUPP
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 2017, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

JILL MARIE RUPP
4611 E HOUSTON ST APT 503
SAN ANTONIO, TX 78220

Via USPS First Class Mail

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of
Permanent Registered Nurse
License Number 868949
Issued to JILL MARIE RUPP,
Respondent

§ BEFORE THE TEXAS
§
§
§
§ BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JILL MARIE RUPP, is a Registered Nurse holding License Number 868949, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about December 30, 2015, while employed as a Registered Nurse with Maximum Healthcare, and on assignment at Methodist Specialty and Transplant Hospital, San Antonio, Texas, Respondent misappropriated medications, syringes, and normal saline flushes, belonging to the facility and patients thereof in that pill packets, syringes, and normal saline flushes were found in Respondent's back pack and locker. Respondent's conduct was likely to defraud the facility and patients thereof of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(G),(8),(10)(E)&(11)(B).

CHARGE II.

On or about December 30, 2015, while employed as a Registered Nurse with Maximum Healthcare, and on assignment at Methodist Specialty and Transplant Hospital, San Antonio, Texas, Respondent engaged in the intemperate use of Bartbiturates, Butalbital, Oxycodone and Oxymorphone in that she produced a specimen for a for cause drug screen that resulted positive for Bartbiturates, Butalbital, Oxycodone and Oxymorphone. Unlawful possession of Bartbiturates, Butalbital, Oxycodone and Oxymorphone is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health & Safety Code. The use of Bartbiturates, Butalbital, Oxycodone and Oxymorphone by a Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms, or changes in a patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing a patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.12(1)(A)(1)(E),(4),(5),(10)(A)&(10)(D).

CHARGE III.

On or about March 30, 2016, while employed as a Registered Nurse with Accountable Healthcare Staffing, and on assignment at Baptist Health System, San Antonio, Texas, and assigned to North Central Baptist Hospital, San Antonio, Texas, Respondent withdrew Hydrocodone from the medication dispensing system for patients, but failed to document and/or completely and accurately document the administration of the medications in the patient's Medication Administration Records and/or nurses' notes, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	MAR	Nurse's Notes
3/28/16	9:05 p.m.	F.H. 3929896	Hydrocodone 10/325mg (1 Tab)	None	None

Respondent's conduct was likely to injure the patients, in that subsequent care givers would rely on her documentation to further medicate the patients, which could result in an overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(C)&(1)(D) and 217.12(1)(A),(1)(B),(1)(C),(4)&(11)(B).

CHARGE IV.

On or about March 30, 2016, while employed as a Registered Nurse with Accountable Healthcare Staffing, and on assignment at Baptist Health System, San Antonio, Texas, and assigned to North Central Baptist Hospital, San Antonio, Texas, Respondent withdrew Hydrocodone from the medication dispensing system for patients in excess frequency and/or dosage of the physician's order, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	Waste	Physician's Order	MAR	Nurse's Notes
3/29/16	6:26 a.m.	F.H.	Hydrocodone 10-325 (1Tab)	Hydrocodone 1 Tab wasted	Hydrocodone 1 Tablet every 4 hours	None	None
3/29/16	6:27 a.m.	F.H.	Hydrocodone 10-325 (1 Tab)	None	Hydrocodone 1 Tablet every 4 hours	06:22	Hydrocodone 1 Tablet @6:22

Respondent's conduct was likely to injure the patients in that the administration of Hydrocodone in excess frequency and/or dosage of the physician's order could result in the patients suffering from adverse reactions. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(3), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(11)(B).

CHARGE V.

On or about March 30, 2016, while employed as a Registered Nurse with Accountable Healthcare Staffing, and on assignment at Baptist Health System, San Antonio, Texas, and assigned to North Central Baptist Hospital, San Antonio, Texas, Respondent withdrew Hydrocodone from the medication dispensing system for patients, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medications, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	Waste	Physician's Order	MAR	Nurse's Notes
3/28/16	9:05 p.m.	F.H. 3929896	Hydrocodone 10/325mg (1 Tab)	None	Hydrocodone 10/325 1 Tablet every 4 hours	None	None

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

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(1)(B), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(10)(C)&(11)(B).

CHARGE VI.

On or about March 30, 2016, while employed as a Registered Nurse with Accountable Healthcare Staffing, and on assignment at Baptist Health System, San Antonio, Texas, and assigned to North Central Baptist Hospital, San Antonio, Texas, Respondent misappropriated one (1) tablet of Hydrocodone, belonging to the facility or 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 medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(G),(8),(10)(E)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

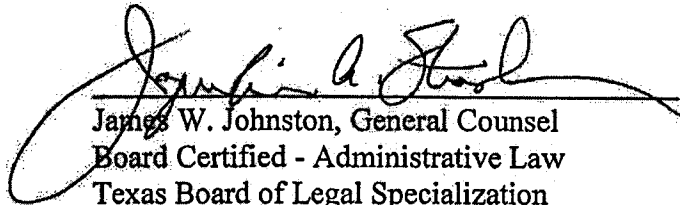
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

Filed this 31st day of January, 2017.

TEXAS BOARD OF NURSING



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D(2016.10.03)