



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.
Stephanie P. Thomas
Executive Director of the Board

IN THE MATTER OF PERMANENT
VOCATIONAL NURSE
LICENSE NUMBER 152686
ISSUED TO
TRACY MARIE WATKINS,
RESPONDENT

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

ORDER OF THE BOARD

TO: TRACY MARIE WATKINS
PO BOX 673
BROOKESMITH, TX 76827

During open meeting held in Austin, Texas, on September 11, 2018, 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 Vocational Nurse License Number 152686, previously issued to TRACY MARIE WATKINS, to practice nursing in the State of Texas be, and the same is 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 11th day of September, 2018.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed July 20, 2018.

d17r(lvn)(2016.05.11)

Re: Permanent Vocational Nurse License Number 152686
Issued to TRACY MARIE WATKINS
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of September, 2018, 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

TRACY MARIE WATKINS
PO BOX 673
BROOKESMITH, TX 76827

BY:



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

**In the Matter of
Permanent Vocational Nurse
License Number 152686
Issued to TRACY MARIE WATKINS,
Respondent**

§ **BEFORE THE TEXAS**
§
§
§
§ **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TRACY MARIE WATKINS, is a Vocational Nurse holding License Number 152686, which is in delinquent 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 March 2017, while employed with Dr. Gary Butka's Office, Brownwood, Texas, Respondent misappropriated a prescription pad from her employer in that she admitted to the Office Manager that she took the prescription pad without authorization. On or about March 4, 2017, Respondent attempted to obtain Hydrocodone from United Supermarket Pharmacy, Brownwood, Texas, through the use of an unauthorized fraudulent prescription, using the name and Drug Enforcement Administration (DEA) number assigned to Gary Butka, M.D. Subsequently, Respondent was arrested by the Brown County Sheriff's office, Brownwood, Texas, for FRAUD CS BY FRAUD SCH III/IV, a felony offense. On or about February 2, 2018, Respondent entered a plea of Guilty to Fraud, a 2nd Degree felony offense committed on March 4, 2017, in the 35th District Court of Brown County, Texas, under Cause No. Cr25349. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on community supervision for a period of ten (10) years and ordered to pay a fine and court costs. Respondent's conduct was likely to deceive the pharmacy. Further, possession of Hydrocodone through the use of an unauthorized prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(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.

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.

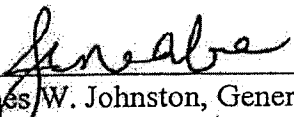
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely

on adopted policies related to Behavior Involving Fraud, Theft, and Deception, 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 25th day of July, 2018.

TEXAS BOARD OF NURSING


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