



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Advanced Practice Registered       §       AGREED  
Nurse License Number AP128702                     §  
& Registered Nurse License Number 791457       §  
issued to MANDY BETH COTTEN                     §       ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that MANDY BETH COTTEN, Advanced Practice Registered Nurse License Number AP128702 and Registered Nurse License Number 791457, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was conducted on April 13, 2017, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Sidney L. Murphy, Attorney at Law, and Cathy Bailey, Attorney at 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. Respondent's license to practice as an advanced practice registered nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from Texas Christian University, Fort Worth, Texas, on August 7, 2010, and received a Doctorate Degree in Nursing from Loyola University New Orleans, New Orleans, Louisiana, on May 1, 2015. Respondent was licensed to practice professional nursing in the State of Texas on September 14, 2010, and was licensed to practice advanced practice registered nursing in the role of Family Nurse Practitioner with prescriptive authority in the State of Texas on August 4, 2015.

5. Respondent's nursing employment history includes:

2010 - 2014	Staff Registered Nurse	John Peter Smith Hospital Fort Worth, Texas
2014 - 2015	Staff Registered Nurse	Dr. Gary Donovitz, MD Arlington, Texas
2015 - Current	Family Nurse Practitioner	BioTE Medical Irving, Texas
2015 - Current	Family Nurse Practitioner	Dr. Gary Donovitz, MD Arlington, Texas

6. At the time of the alleged incident, Respondent was employed as an Advanced Practice Nurse/ Family Nurse Practitioner with Biote Medical Center, Irving, Texas, and had been in that position for less than one (1) month.
7. On or about September 2015 through July 2016, while employed as a Family Nurse Practitioner with BioTE Medical Center, Irving, Texas, Respondent developed treatment plans, which included testosterone pellet injections, for patients without conducting, and/or documenting, complete physical examinations.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she provided hormone consultations and performed focused history and physical examinations before prescribing or administering hormone replacement therapy in the form of pellet injections. Respondent states that she "acknowledges that she probably did not perform a complete physical examination for most patients who presented to the Clinic for pellet insertion, but she did review labs, speak with the patient, make certain the patient was of sound mind and body, and that the patient didn't have any skin breaks or rashes."

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)(D) and 22 TEX. ADMIN. CODE §217.12(1)(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse

License Number AP128702 and Registered Nurse License Number 791457, heretofore issued to MANDY BETH COTTEN.

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 AND A FINE** 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 courses **within one (1) year of the effective date of this Order, unless otherwise specifically**

**indicated:**

- A. **A 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](http://www.bon.texas.gov/compliance).*

#### IV. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five hundred dollars (\$500.00) within forty-five (45) days of entry of this Order.** Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

#### V. 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

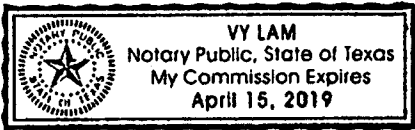
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 31 day of October, 2018.  
Mandy Beth Cotten  
MANDY BETH COTTEN, Respondent

Sworn to and subscribed before me this 31 day of October, 2018.

SEAL

VY LAM  
Notary Public in and for the State of Texas



Approved as to form and substance.

\_\_\_\_\_  
Sidney L. Murphy, Attorney for Respondent

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 31st day of October, 2018, by MANDY BETH COTTEN, Advanced Practice Registered Nurse License Number AP128702 and Registered Nurse License Number 791457, and said Order is final.

Effective this 11th day of December, 2018.



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