



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 § REINSTATEMENT
Vocational Nurse License Number 203532 § AGREED ORDER
issued to MEGAN ELIZABETH HOLLEY §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement, hereinafter referred to as the Petition, of Vocational Nurse License Number 203532, held by MEGAN ELIZABETH HOLLEY, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Reinstatement Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on January 2, 2019.

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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Reinstatement Agreed Order.
3. Petitioner received a Certificate in Vocational Nursing from Kiamichi Area Vocational Technical School, Hugo, Oklahoma, on June 17, 2005. Petitioner was licensed to practice vocational nursing in the State of Texas on March 23, 2006.
4. Petitioner's nursing employment history includes:

06/2005-02/2006	LPN	Pushmataha County Hospital Antlers, Oklahoma
03/2006-06/2007	LPN	Red River Health Care Paris, Texas
07/2007-07/2010	LPN	Millennium Home Care Hugo, Oklahoma

Petitioner's nursing employment history continued:

08/2010-02/2011	LPN	Mays Home Care Barteville, Oklahoma
03/2011-03/2012	LPN	Skiatook Nursing Home Skiatook, Oklahoma
03/2012-06/2012	LPN	Southern Pointe Living Center Colbert, Oklahoma
06/2012-03/2013	LPN	Gentiva Home Care Hugo, Oklahoma
04/2013-05/2014	LPN	Red River Home Care Reno, Texas
05/2014-06/2014	LPN	Southern Pointe Living Center Colbert, Oklahoma
07/2014-07/2017	LPN/Intake Coordinator	Five Star Home Health Chantill, Virginia

5. On or about May 7, 2015, the Board accepted the Voluntary Surrender of Petitioner's license to practice nursing in the State of Texas through an Order of the Board. A copy of the May 7, 2015, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
6. On or about August 13, 2018, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. Petitioner presented the following in support of said petition:
 - A. Letter of recommendation dated March 21, 2016, from Brandon Blake, President, Five Star Home Health Care, stating Petitioner was hired on July 23, 2014 and has worked in many different capacities. Petitioner is reliable, competent and caring.
 - B. Letter of recommendation dated July 11, 2018, from Leigh Ann Hutchesn, BSN, RN, MHA, stating she worked with Petitioner at Five Star Home Health Care where Petitioner was employed as an intake coordinator. Petitioner was ambitious and career oriented.
 - C. Letter from Tony Hughes, Vice President, Five Star Home Health Care, stating Petitioner was highly valued, passionate, positive and patient. Furthermore, Mr. Hughes states she would not hesitate to hire Petitioner again if the opportunity emerged.

D. Documentation of the required continuing education contact hours.

8. The Executive Director considered evidence of Petitioner's past behavior in light of the factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for relicensure.
9. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
10. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. This reinstatement is made pursuant to Sections 301.453(c) and 301.467, Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26.
3. The Board may relicense an individual upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, if the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

TERMS OF ORDER

I. REINSTATEMENT OF LICENSURE AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of MEGAN ELIZABETH HOLLEY for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and Vocational Nurse

License Number 203532 is/are hereby **REINSTATED** in accordance with the terms of this Order.

- A. PETITIONER SHALL pay all re-registration fees, if applicable, and PETITIONER'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- B. This Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, PETITIONER'S license(s) will be designated "single state" and PETITIONER may not work outside the State of Texas in another nurse licensure compact party state.

II. COMPLIANCE WITH LAW

While under the terms of this Order, PETITIONER agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Reinstatement Agreed Order.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) **within one (1) year of relicensure, unless otherwise specifically indicated:**

- A. **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 and video programs will not be approved.

- B. **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.

- C. **The course "Patient Privacy,"** a 5.4 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), PETITIONER 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. PETITIONER 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.*

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, PETITIONER must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** PETITIONER SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, PETITIONER SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.

- B. **Notification of Employment Forms:** PETITIONER SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. PETITIONER SHALL CAUSE each future employer to submit the Board's

"Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.

- C. **Indirect Supervision:** PETITIONER SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as PETITIONER, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years of experience in the same or similar practice setting to which the PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **Nursing Performance Evaluations:** PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the individual who supervises the PETITIONER and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

V. **RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Reinstatement Agreed Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

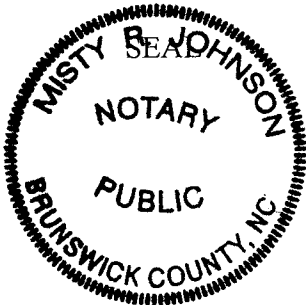
I understand this Order is conditioned upon the accuracy and completeness of my petition and disclosures. I further understand that subsequently discovered discrepancies in my petition and/or disclosures will result in investigation and possible disciplinary action, up to revocation of my license(s).

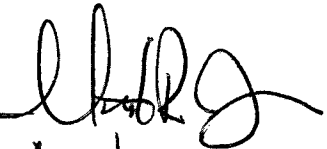
I have reviewed this Order. I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. 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) and/or nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 22 day of February, 2019.

Megan E. Holley McLaughlin
MEGAN ELIZABETH HOLLEY, Petitioner

Sworn to and subscribed before me this 22 day of February, 2019.



My Commission Exp. 3-11-2021 
Notary Public in and for the State of North Carolina

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 22nd day of February, 2019, by MEGAN ELIZABETH HOLLEY, Vocational Nurse License Number 203532, and said Reinstatement Agreed Order is final.

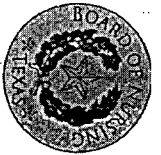
Effective this 25th day of April, 2019.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Vocational Nurse License Number 203532 §
issued to MEGAN ELIZABETH HOLLEY § ORDER



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. Johnson
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MEGAN ELIZABETH HOLLEY, Vocational Nurse License Number 203532, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of 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 vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Kiamichi Area Technical School, Hugo, Oklahoma, on June 17, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on March 23, 2006.
5. Respondent's vocational nursing employment history includes:

04/06 - 06/07	Unknown
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Respondent's vocational nursing employment history continued:

07/07 - 09/10	LVN	Millennium Home Care Hugo, Oklahoma
10/10 - 01/11	Unknown	
02/11 - 02/12	LVN	Skiatook Nursing Home Skiatook, Oklahoma
03/12 - 05/12	LVN	Southern Pointe Living Center Colbert, Oklahoma
06/12	Unknown	
07/12 - 02/13	LVN	Gentiva Home Healthcare Hugo, Oklahoma
03/13	Unknown	
04/13 - 05/14	LVN	Red River HomeCare, Reno, Texas
06/14 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse, and had been in that position for one (1) year and one (1) month.
7. On or about May 30, 2014, Respondent misappropriated nursing supplies belonging to Red River HomeCare, Reno, Texas, after she was terminated from employment, including: a Samsung Galaxy documentation device containing patient health information, an office key, a pulse oximeter, and various nursing supplies. Respondent's conduct exposed patients unnecessarily to a risk of harm from use, accessing or disclosure of their confidential medical information without their written authorization, and constitutes a violation of HIPPA (The Health Insurance Portability and Accountability Act). In addition, Respondent's conduct was likely to defraud the facility of the cost of the equipment.
8. In response to Findings of Fact Number Seven (7), Respondent states she sold the Samsung tablet and has no good reason as to why other than that she was desperate for money and was not thinking of the consequences involved. Respondent states she did try and reach out to the director of Red River HomeCare to pay for the tablet, but her calls were not returned. Respondent states she told the detective that the nursing bag with the supplies and pulse oximeter was left in the rental house before Respondent moved to Virginia. Respondent states she mailed the office key back to Red River HomeCare on or about July 30th.

10. Formal Charges were filed on January 15, 2015.
11. Formal Charges were mailed to Respondent on January 23, 2015.
12. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.

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), (1)(B) & (1)(E), and 22 TEX. ADMIN. CODE § 217.12(1)(A), (1)(B), (1)(C), (4) & (6)(G).
 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10) & (13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 203532, heretofore issued to MEGAN ELIZABETH HOLLEY, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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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.
 6. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
 7. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
 8. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE § 213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 203532, heretofore issued to MEGAN

ELIZABETH HOLLEY, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

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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 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 1 day of May, 2015.

Megan E. Holley

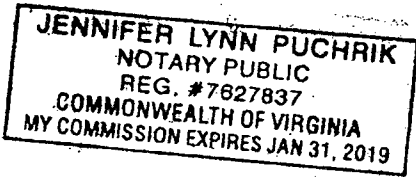
MEGAN ELIZABETH HOLLEY, Respondent

Sworn to and subscribed before me this 1 day of May, 2015.

SEAL

Jennifer Pichardo

Notary Public in and for the State of VA



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept the voluntary surrender of Vocational Nurse License Number 203532, previously issued to MEGAN ELIZABETH HOLLEY.

Effective this 7th day of May, 2015.



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