



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 § AGREED ORDER
Vocational Nurse License Number 162221 §
issued to ALLISON RAE HALL §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ALLISON RAE HALL, Vocational Nurse License Number 162221, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on April 8, 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 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 Agreed 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 Midland College at Midland, Midland, Texas, on August 15, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on April 10, 1997.
5. Respondent's nursing employment history includes:

04/1997-07/2009	Unknown	
08/2002-09/2004	LVN	Our Children's House Dallas, Texas

Respondent's nursing employment history continued:

10/2004-09/2009	LVN	Midland Memorial Hospital Midland, Texas
05/2005-05/2006	LNV	Nurses Unlimited Odessa, Texas
09/2009-06/2013	LVN	Midland Pediatrics Midland, Texas
07/2013-09/2016	LVN	Midland Memorial Hospital Midland, Texas
10/2016-08/2018	Unknown	
08/2018-12/2018	LVN	Oceans Behavioral Hospital Midland, Texas

6. On or about March 7, 2018, Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through an Order of the Board. A copy of the March 7, 2018, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Oceans Behavioral Hospital, and had been in that position for four (4) months.
8. On or about December 6, 2018, Respondent failed to comply with the Confidential Agreed Order for Peer Assistance Program issued to her on March 7, 2018, by the Texas Board of Nursing. On or about December 6, 2018, Respondent produced a specimen for a random drug screen, which resulted positive for methamphetamine. Noncompliance is the result of Respondent's failure to comply with Stipulation Number One (I), Subsection (D) of the order which reads, in pertinent part:

(D) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.
9. Formal Charges were filed on March 7, 2019.
10. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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 §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 162221, heretofore issued to ALLISON RAE HALL.
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. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

TERMS OF ORDER

I. **SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that Vocational Nurse License Number 162221, previously issued to ALLISON RAE HALL, to practice nursing in the State of Texas is/are hereby **SUSPENDED** and said suspension is **ENFORCED** until RESPONDENT:

- A. Applies to, is accepted into, and completes enrollment in the Texas Peer Assistance Program for Nurses (TPAPN), including payment of a non-refundable participation fee to TPAPN in the amount of five hundred dollars (\$500.00), if licensed as a registered nurse, or in the amount of three hundred fifty dollars (\$350.00), if licensed as a vocational nurse;
- B. Is cleared to safely practice as a nurse based on a fitness evaluation, as may be required by TPAPN; and

- C. Waives confidentiality and provides a copy of the fully executed TPAPN participation agreement to the Board.

IT IS FURTHER AGREED, upon verification of successful completion of the above requirements, the Suspension will be **STAYED**, and RESPONDENT will be placed on **PROBATION** for such time as is required for RESPONDENT to successfully complete the TPAPN **AND** until RESPONDENT fulfills the additional requirements of this Order.

- D. RESPONDENT SHALL pay all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- E. RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable licenses to practice nursing in the State of Texas in current status.
- F. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.
- G. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- H. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- I. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" and RESPONDENT 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, 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 Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order.

III. SUPERSEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Agreed Order SHALL supersede all previous stipulations required by any Order entered by the Texas Board of Nursing.

IV. 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 course(s) within one (1) year of the suspension being stayed, unless otherwise specifically indicated:

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.

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.*

V. EFFECT OF NONCOMPLIANCE

SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including TEMPORARY SUSPENSION pursuant to Section

301.4551, Texas Occupations Code, or REVOCATION of RESPONDENT'S license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'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, 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 Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the entry of this Order and all conditions of said Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and 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) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30 day of May, 20 19.

Allison Hall
ALLISON RAE HALL, Respondent

Sworn to and subscribed before me this 30 day of May, 20 19.

SEAL



Heather Henderson

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 30th day of May, 2019, by ALLISON RAE HALL, Vocational Nurse License Number 162221, and said Agreed Order is final.

Effective this 5th day of June, 2019.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § CONFIDENTIAL
Vocational Nurse License Number 162221 § AGREED ORDER FOR
issued to ALLISON RAE HALL § PEER ASSISTANCE PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ALLISON RAE HALL, Vocational Nurse License Number 162221, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 30, 2017.

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 Midland College at Midland, Midland, Texas, on August 15, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on April 10, 1997.
5. Respondent's vocational nursing employment history includes:

4/1997 - 7/2002 Unknown

Respondent's vocational nursing employment history continued:

8/2002 - 9/2004	LVN	Our Children's House Dallas, Texas
10/2004 - 9/2009	LVN	Midland Memorial Hospital Midland, Texas
5/2005 - 5/2006	LVN	Nurses Unlimited Odessa, Texas
9/2009 - 6/2013	LVN	Midland Pediatrics Midland, Texas
7/15/13 - 9/2016	LVN	Midland Memorial Hospital Midland, Texas
10/2016 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Midland Memorial Hospital, Midland, Texas, and had been in that position for two (2) years and ten (10) months.
7. On or about May 16, 2016, while employed as a Licensed Vocational Nurse with Midland Memorial Hospital, Midland, Texas, Respondent lacked fitness to practice vocational nursing in that she admitted to suffering significant withdrawals after her new physician abruptly discontinued her medications. Respondent stated she was not sleeping well and suffered from increased anxiety. Additionally, Respondent admitted that her prescription medications for a medical condition were making her feel very ill. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. On or about August 8, 2016, while employed as a Licensed Vocational Nurse with Midland Memorial Hospital, Midland, Texas, Respondent lacked fitness to practice vocational nursing in that she was observed to be jittery, hyperactive, frazzled, overwhelmed, and lacking concentration. Respondent was not making sense, she was "all over the place" while talking about her health and her doctor's appointment, her train of thought was jumping from one subject to another, and she was scratching. Furthermore, Respondent made two (2) treatment and procedure notes the entire night with a patient load of approximately four (4) to six (6) patients, and she did not discharge a patient and baby as ordered. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients'

conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

9. On or about August 8, 2016, while employed as a Licensed Vocational Nurse with Midland Memorial Hospital, Midland, Texas, Respondent engaged in the intemperate use of Amphetamines and Methamphetamines in that she produced a reasonable suspicion urine drug screen which resulted positive for Amphetamines and Methamphetamines. Possession of Amphetamines and Methamphetamines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Amphetamines and Methamphetamines by a Licensed Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the 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 the patient in potential danger.
10. In response to Finding of Fact Number Seven (7), Respondent states she informed her department director during a conversation that she was having trouble falling asleep due to her doctor taking her off of medications and this was making her a little anxious at times. At the conclusion of the conversation she returned to her duties and completed her shift. In response to Finding of Fact Number Eight (8), Respondent admits she did not discharge a patient as ordered. The baby was ready, but the mother was not. However, Respondent does not recall being hyper or jittery. She states she was a little tired and overwhelmed due to the workload she was given and the back to back busy shifts. Respondent states all of her charting was done, just not entered into the computer. She informed the charge nurse she would be back to enter the data in the computer after she got some rest. In response to Finding of Fact Number Nine (9), Respondent states she had just started experimenting with Methamphetamines. At the time of the blood test she used Methamphetamines on three (3) occasions, the last being the day before her test. Respondent states all use was while off duty. After being fired, Respondent states she became quite depressed and began to use Methamphetamines quite often for over a month. Respondent adds that she placed herself in rehabilitation for a period of sixty (60) days and she has been clean since.
11. Formal Charges were filed on September 8, 2017.
12. Formal Charges were mailed to Respondent on September 12, 2017.
13. Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
14. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.

15. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or substance use disorder.
16. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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)(T) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(5),(10)(A),(10)(D)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 162221, heretofore issued to ALLISON RAE HALL, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

TERMS OF ORDER

I. PEER ASSISTANCE PROGRAM REQUIREMENTS

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

- A. Within forty-five (45) days following the date of entry of this Order,

RESPONDENT SHALL apply to TPAPN;

- B. Within ninety (90) days following the date of entry of this Order, RESPONDENT SHALL sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee payable to TPAPN in the amount of three hundred fifty dollars (\$350.00);
- C. Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing;
- D. RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current; and
- E. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

II. COMPLIANCE WITH LAW AND APPLICABILITY

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.

- 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. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

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

course(s) within one (1) year of entry of this Order:

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 courses and video programs will not be approved.

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.*

IV. CONFIDENTIALITY REQUIREMENTS

While RESPONDENT remains in compliance with the terms of this Order, this Order shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should Respondent fail to successfully complete the terms of this Order or should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

V. EFFECT OF NONCOMPLIANCE

SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

VI. 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, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, 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 waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the entry of this Order and all conditions of said Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28 day of February, 2018.

Allison Hall

ALLISON RAE HALL, Respondent

Sworn to and subscribed before me this 28th day of February, 2018.

SEAL

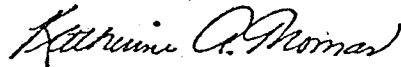
Katy Kuykendall

Notary Public in and for the State of Texas



WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Confidential Agreed Order for Peer Assistance Program that was signed on the 28th day of February, 2018, by ALLISON RAE HALL, Vocational Nurse License Number 162221, and said Order is final.

Effective this 7th day of March, 2018.



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