



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 A. Plummer*  
Executive Director of the Board

**In the Matter of  
Permanent Vocational Nurse  
License Number 308175  
Issued to SETH PAUL FONTENOT,  
Respondent**

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

**ORDER OF THE BOARD**

TO: Seth Fontenot  
6120 79th St Unit A  
Lubbock, TX 79424

During open meeting held in Austin, Texas, on August 18, 2020, 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 308175, previously issued to SETH PAUL FONTENOT 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 18<sup>th</sup> day of August, 2020

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charges filed June 10, 2020

d17r(2020.07.20)

Re: Permanent Vocational Nurse License Number 308175  
Issued to SETH PAUL FONTENOT  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 20<sup>th</sup> day of August, 2020 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,  
Copy Via USPS First Class Mail

Seth Fontenot  
6120 79th St Unit A  
Lubbock, TX 79424

BY:



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

**In the Matter of  
Permanent Vocational Nurse  
License Number 308175  
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Respondent**

§ **BEFORE THE TEXAS**  
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§ **BOARD OF NURSING**  
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### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SETH PAUL FONTENOT, is a Vocational Nurse holding license number 308175 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 October 29, 2019 and November 17, 2019, while employed as a Licensed Vocational Nurse with Carrollton Springs Hospital, Carrollton, Texas, Respondent withdrew Adderall from the medication dispensing system for patients, but failed to completely and accurately document the administration of the medications in the patients' Medication Administration Record (MAR) and/or nurses' notes in that Respondent removed the medications after he documented the administration, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	MAR	Nurses' Notes
10/29/19	1250	019618	Amphetamine-Dextroamphetamine 20mg tab (1)	0900	None
11/17/19	1058	019565	Amphetamine-Dextroamphetamine 30mg tab (1)	0700	None
11/17/19	1059	018892	Amphetamine-Dextroamphetamine 30mg tab (1)	0900	None
11/17/19	1353	019565	Amphetamine-Dextroamphetamine 30mg tab (1)	1400	None

Respondent's conduct was likely to injure the patients, in that subsequent care givers would rely on his 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 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4)&(11)(B).

#### **CHARGE II.**

On or about October 29, 2019 through January 19, 2020, while employed as a Licensed Vocational Nurse with Carrollton Springs Hospital, Carrollton, Texas, Respondent withdrew Adderall from

the medication dispensing system for patients in excess frequency of the physician's order, as follows:

Date	Time	Patient	Medication Withdrawn (Qty)	Waste	Physician's Order	MAR	Nurses' Notes
10/29/19	1248	019618	Amphetamine-Dextroamphetamine 20mg tab (1)	Returned 1249	Adderall 20mg 1 tab PO Q9am + 1400		None
10/29/19	1250	019618	Amphetamine-Dextroamphetamine 20mg tab (1)	None	Adderall 20mg 1 tab PO Q9am + 1400	0900	None
10/29/19	1250	019618	Amphetamine-Dextroamphetamine 20mg tab (1)	None	Adderall 20mg 1 tab PO Q 9am + 1400	1300	None
11/17/19	0733	019565	Amphetamine-Dextroamphetamine 30mg tab (1)	Waste 1056	Adderall 30mg PO BID		None
11/17/19	0733	019565	Amphetamine-Dextroamphetamine 30mg tab (1)	Waste 1056	Adderall 30mg PO BID		None
11/17/19	1353	019565	Amphetamine-Dextroamphetamine 30mg tab (1)	Returned 1353	Adderall 30mg PO BID	1440	None
11/17/19	0748	018892	Amphetamine-Dextroamphetamine 30mg tab (1)	Wasted 1056	Adderall 30mg 1 tab PO every morning		None
11/17/19	1059	018892	Amphetamine-Dextroamphetamine 30mg tab (1)	None	Adderall 30mg 1 tab PO every morning	0900	None
11/17/19	1354	018892	Amphetamine-Dextroamphetamine 30mg tab (1)	Returned 1401	Adderall 30mg 1 tab PO every morning		None
1/19/20	0528	020019	Amphetamine-Dextroamphetamine 20mg tab (1)	None	Adderall 20mg PO @ 0700 and 1300	0700	Pulled/ admin'd by DT
1/19/20	1216	020019	Amphetamine-Dextroamphetamine 20mg tab (1)	None	Adderall 20mg PO @ 0700 and 1300	1300	None
1/19/20	1216	020019	Amphetamine-Dextroamphetamine 20mg tab (1)	Waste 1223	Adderall 20mg PO @ 0700 and 1300		None

Respondent's conduct was likely to injure the patient in that the administration of medication in excess frequency of the physicians' orders could result in the patient 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)&(2), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(11)(B).

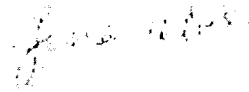
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license and/or privilege to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 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](http://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](http://www.bon.texas.gov).

Filed this 10<sup>th</sup> day of June, 2020.

TEXAS BOARD OF NURSING



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