



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 O'Hanrahan*  
Executive Director of the Board

**In the Matter of  
Permanent Registered Nurse  
License Number 717497  
Issued to HOLLYE LYNN MILLER,  
Respondent**

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

**ORDER OF THE BOARD**

TO: Hollye Miller  
16515 Bristle Creek Dr  
Houston, TX 77095

During open meeting held in Austin, Texas, on February 9, 2021, 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 Registered Nurse License Number 717497, previously issued to HOLLYE LYNN MILLER 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 9<sup>th</sup> day of February, 2021

TEXAS BOARD OF NURSING

BY:  \_\_\_\_\_

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

Attachment: Formal Charges filed November 10, 2020

d17r(2021.01.14)

Re: Permanent Registered Nurse License Number 717497  
Issued to HOLLYE LYNN MILLER  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12<sup>th</sup> day of February, 2021, 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

Hollye Miller  
16515 Bristle Creek Dr  
Houston, TX 77095

BY: 

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

**In the Matter of  
Permanent Registered Nurse  
License Number 717497  
Issued to HOLLYE LYNN MILLER,  
Respondent**

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

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, HOLLYE LYNN MILLER, is a Registered Nurse holding license number 717497 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 January 13, 2016 through January 18, 2016, while employed with North Cypress Medical Center, Cypress, Texas, Respondent withdrew Fentanyl and Versed from the medication dispensing system for patients, but failed to document and/or completely and accurately document the administration of the medications in the patients' Medication Administration Record (MAR), as follows:

Date	Time	Patient	Medication Withdrawn	MAR
1/13/2016	11:10	V00001350288	Midazolam 2mg (2ml) vial (1)	None
1/13/2016	11:10	V00001350288	Fentanyl 100mcg (2ml) vial (1)	None
1/18/2016	12:35 (See Note)	V00001351983	Midazolam 2mg (2ml) vial (1)	None
1/18/2016	12:35 (See Note)	V00001351983	Fentanyl 100mcg (2ml) vial (1)	None

Note: Patient was discharged at 10:55

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 January 6, 2016 through January 19, 2016, while employed with North Cypress Medical Center, Cypress, Texas, Respondent withdrew Fentanyl and Versed from the medication dispensing system for patients, but failed to follow the facility's policy and procedure regarding unused portions of the medication, as follows:

Date/Time	Patient	Medication	Physician's Order	MAR	Wastage
1/6/2016 10:24	V00001350387	Midazolam 2mg (2ml) vial (2)	Versed inj 2mg One time	2mg IVP 1055	None
1/6/2016 10:25	V00001350387	Fentanyl 100mcg (2ml) vial (2)	Sublimaze inj (50mcg/ml) 2ml One time	50mcg IVP 1056 50mcg IVP 1106	None
1/10/2016 15:22	V00001350387	Midazolam 2mg (2ml) vial (2)	Versed inj 4mg One time	2mg IVP 1555	None
1/10/2016 15:22	V00001350387	Fentanyl 100mcg (2ml) vial (2)	Sublimaze inj (50mcg/mL) 2ml 200mcg One time	50mcg IVP 1555	None
1/13/2016 8:47	V00001350288	Fentanyl 100mcg (2ml) vial (1)	Sublimaze inj (50mcg/ml) 2ml 100mcg One time	50mcg IVP 1004	None
1/13/2016 11:10	V00001350288	Midazolam 2mg (2ml) vial (1)	Versed inj 2mg One time	None	None
1/13/2016 11:10	V00001350288	Fentanyl 100mcg (2ml) vial (1)	Sublimaze inj (50mcg/ml) 2ml 100mcg One time	None	None
1/18/2016 7:59	V00001351983	Midazolam 2mg (2ml) vial (1)	Versed inj 2mg One time	1mg IVP 0932	None
1/18/2016 7:59	V00001351983	Fentanyl 100mcg (2ml) vial (1)	Sublimaze inj 100mcg (50mcg/ml) 2ml One time	50mcg IVP 0932	None
1/18/2016 12:35 (See Note)	V00001351983	Midazolam 2mg (2ml) vial (1)	Versed inj 2mg One time (entered at 1236)	None	None
1/18/2016 12:35 (See Note)	V00001351983	Fentanyl 100mcg (2ml) vial (1)	Sublimaze inj 100mcg (50mcg/ml) 2ml One time (entered at 1236)	None	None
1/19/2016 9:15	V00001352076	Midazolam 2mg (2ml) vial (2)	Versed inj 4mg One time	2mg IVP 0952	None
1/19/2016 9:15	V00001352076	Fentanyl 100mcg (2ml) vial (2)	Sublimaze inj (50mcg/ml) 2ml 200mcg One time	50mcg IV 0953	None

Note: Patient was discharged at 10:55

Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy 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)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(10)(C)&(11)(B).

### **CHARGE III.**

On or about January 6, 2016 through January 19, 2016, while employed with North Cypress Medical Center, Cypress, Texas, Respondent misappropriated nine (9) vials of Midazolam 2mg and ten (10) vials of Fentanyl 100mcg from Patients V00001350387, V00001350288, V00001351983, and V00001352076, belonging to the facility or patients thereof, or failed to take precautions to prevent such misappropriation. Additionally, Respondent admitted she had been misappropriating controlled substances for her own personal use since February 2015. Respondent's conduct was likely to defraud the facility and patients of the costs of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(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) and/or privilege(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](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct, on adopted policies related to Behavior Involving Lying and Falsification, and 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](http://www.bon.texas.gov).

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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 day of November, 2020.

TEXAS BOARD OF NURSING



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James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Deputy General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 24036103

Helen Kelley, Assistant General Counsel  
State Bar No. 24086520

Brian L. Miller, Jr., Assistant General Counsel  
State Bar No. 24117478

JoAnna Starr, Assistant General Counsel  
State Bar No. 24098463

Jacqueline A. Strashun, Assistant General Counsel  
State Bar No. 19358600

John Vanderford, Assistant General Counsel  
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-8657  
F: (512) 305-8101 or (512) 305-7401

D(2020.09.04)