



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
Advanced Practice Registered Nurse License	§	
Number AP130119 with Prescription	§	
Authorization Number 19693	§	
& Registered Nurse License Number 779048,	§	
issued to ASHLEY LAVELLE BAILLIO	§	

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ASHLEY LAVELLE BAILLIO, Advanced Practice Registered Nurse License Number AP130119 with Prescription Authorization Number 19693, and Registered Nurse License Number 779048, 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)(13)(effective through 8/31/21), 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 October 8, 2021.

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 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 with authorization as an Acute Care Adult/gerontology Nurse Practitioner is in current status with Prescription Authorization Number 19693 in current status.

4. Respondent received a Baccalaureate Degree in Nursing from University of Texas, Arlington, Texas, on December 10, 2009. Respondent completed an Acute Care Adult/Gerontology Nurse Practitioner Program from Georgetown University, Washington, District of Columbia, on October 1, 2015. Respondent was licensed to practice professional nursing in the State of Texas on January 14, 2010. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as an Acute Care Adult/Gerontology Nurse Practitioner on January 25, 2016.

5. Respondent's nursing employment history includes:

1/2010 – 3/2016	Registered Nurse	John Peter Smith Hospital Fort Worth, Texas
3/2016-7/2016	Acute Care Adult/Gerontology Nurse Practitioner	John Peter Smith Hospital Fort Worth, Texas
8/2016- Present	Acute Care Adult/Gerontology Nurse Practitioner	Sound Physician Group Fort Worth, Texas
1/2019- Present	Acute Care Adult/Gerontology Nurse Practitioner	Ideal Skin Medspa Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as an Acute Care Adult/Gerontology Nurse Practitioner with Ideal Skin Medspa, Fort Worth, Texas, and had been in that position for only ten (10) months.

7. On or about October 23, 2019, through November 21, 2019, while employed as an Acute Care Adult/Gerontology Nurse Practitioner with Ideal Skin Medspa, Fort Worth, Texas, Respondent practiced outside her authorized scope of practice in the role of Acute Care Adult/Gerontology Nurse Practitioner by performing suction-assisted lipectomy with tumescent lidocaine anesthesia for six patients without sufficient medical supervision given her licensure, training, and experience.

8. In response to Finding of Fact Number Seven (7), Respondent states she has fully cooperated with the Board's investigation and has been completely forthcoming. In addition, Respondent, on her own initiative, completed remedial education courses and ceased all med spa work over a year ago. Additionally, Respondent states that any practice outside her authorized scope of practice was unintentional.

9. On September 8, 2021, Respondent completed a course in nursing jurisprudence and ethics; on August 13, 2021, Respondent completed a course in Determining APRN Scope of Practice; and on August 10, 2021, Respondent completed a course in critical thinking, all of which would have been requirements of this Order.

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)(T)&(4)(A) and 22 TEX. ADMIN. CODE §221.12 and §221.13.
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP130119 with Prescription Authorization Number 19693, and Registered Nurse License Number 779048, heretofore issued to ASHLEY LAVELLE BAILLIO.
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 **REPRIMAND WITH STIPULATIONS** 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. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

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. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. CEASE AND DESIST. Respondent shall not work in a med spa or cosmetic setting during the pendency of this Order and SHALL CEASE AND DESIST from exceeding her Board authorized scope of practice as an Acute Care Adult/Gerontology Nurse Practitioner by performing any surgical or cosmetic procedure for which she has not received Board approved education, training, licensure, or certification.

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as an advanced practice registered 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 an advanced practice registered nurse have elapsed. Periods of unemployment or of employment that do not require the use of an advanced practice registered nurse (APRN) license will not apply to this period and will not count towards completion of this requirement. Further, Respondent may not work as a registered nurse (RN) or a vocational nurse (LVN) license, as applicable, while under the terms of this Order.

- A. **Notifying Present and Future Employers, Practice Sites and Credentialing Agencies:** RESPONDENT SHALL notify each present employer, practice site and/or credentialing agency in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer, practice site and/or credentialing agency in nursing within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers, practice sites and/or credentialing agencies in nursing and present a complete copy of this Order, including all attachments, if any, to each future employer, practice site and/or credentialing agency in nursing prior to accepting an offer of employment and/or assignment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer, practice site and/or credentialing agency in nursing to submit the Board's "Notification of Employment" form, which is provided to the RESPONDENT by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer, practice site and/or credentialing agency in nursing to submit the Board's "Notification of Employment" form, which is provided to the RESPONDENT by the Board, to the Board's office within five (5) days of employment as a nurse.
- C. **Incident Reporting:** For the duration of the stipulation period, RESPONDENT SHALL CAUSE each employer, practice site and/or credentialing agency in nursing to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- D. **Nursing Performance Reports:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the RESPONDENT by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These

reports shall be submitted to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) years] of employment as a nurse.

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) and/or privilege(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.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this 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 this Order is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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 12 day of October, 2021.

A Bailio
ASHLEY LAVILLE BAILLIO, RESPONDENT

Sworn to and subscribed before me this 12th day of October, 2021.

SEAL

Alysa Baker
Notary Public in and for the State of Texas

Approved as to form and substance.

Mark Weitz
Mark Weitz, Attorney for Respondent

Signed this 12th day of October, 2021.



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 12th day of October, 2021, by ASHLEY LAVELLE BAILLIO, Advanced Practice Registered Nurse License Number AP130119, and Registered Nurse License Number 779048, and said Agreed Order is final.

Effective this 9th day of November, 2021.



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