



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.  
*Allison P. McGarh*  
Executive Director of the Board

**In the Matter of  
Permanent Registered Nurse  
License Number 625303  
Issued to ALLISON DYAN MCGARTH,  
Respondent**

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

**ORDER OF THE BOARD**

TO: Allison McGarh  
2229 Angelica Trl  
Richardson, TX 75080

During open meeting held in Austin, Texas, on November 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 625303, previously issued to ALLISON DYAN MCGARTH 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 November, 2021

TEXAS BOARD OF NURSING



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

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

Attachment: Formal Charges filed August 4, 2021

d17r(2021.09.14)

Re: Permanent Registered Nurse License Number 625303  
Issued to ALLISON DYAN MCGARTH  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of November, 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

Allison McGarth  
2229 Angelica Trl  
Richardson, TX 75080

BY: 

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

**In the Matter of  
Permanent Registered Nurse  
License Number 625303  
Issued to ALLISON DYAN MCGARTH,  
Respondent**

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

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ALLISON DYAN MCGARTH, is a Registered Nurse holding license number 625303 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 February 4, 2021 Respondent entered a plea of Guilty to POSS CS PG 1>=4G, 3rd Degree Felony offense committed on July 30, 2019, in the 59th District Court of Grayson County, Texas under Cause No. 071446. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of Guilt, and Respondent was placed on probation for a period of five (5) years and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3), Texas Occupations Code.

#### **CHARGE II.**

On or about January 25, 2021, Respondent entered a plea of Guilty to FORGERY FINANCIAL INSTRUMENT ENH IAT, 3<sup>rd</sup> Degree Felony offense committed on November 30, 2018, in the 401<sup>st</sup> District Court of Collin County, Texas, under Cause No. 401-80939-2019. As a result of the plea the proceedings against Respondent were deferred without entering an adjudication of Guilt, Respondent was placed on probation for a period of ten (10) years and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3), Texas Occupations Code.

### **CHARGE III.**

On or about January 25, 2021, Respondent enter a plea of Guilty to FRUAD USE/POSS IDENTIFYING INFO # items 10<50, 2nd Degree Felony offense committed on August 19, 2019, in the 401st District Court of Collin County, Texas, under Cause No. 296-85071-2019. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of Guilt, and Respondent was placed on probation for a period of ten (10) years and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3), Texas Occupations Code.

### **CHARGE IV.**

On or about January 25, 2021, Respondent enter a plea of Guilty to POSS CS PG 1>= 1G<4G, 3rd Degree Felony Offense committed September 27, 2019, in the 401st District Court of Collin County, Texas, under Cause No. 401-81861-2020. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of Guilt, and Respondent was placed on probation for a period of ten (10) years and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3), Texas Occupations Code.

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 and TEX. OCC. CODE Ch. 53.

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).

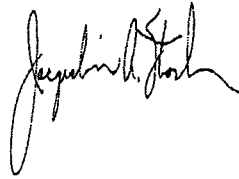
NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on adopted Disciplinary Guidelines for Criminal Conduct, and on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct, which can be found under the "Discipline & Complaints; Board Policies & 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 4th day of August, 2021

TEXAS BOARD OF NURSING



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