

# BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Advanced Practice Registered Nurse License	§	
Number AP122138 with Prescription	§	
Authorization Number 12804	§	
& Registered Nurse License Number 835770	§	
issued to CINDY MCALLISTER SLIMAK	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CINDY MCALLISTER SLIMAK, Advanced Practice Registered Nurse License Number AP122138 with Prescription Authorization Number 12804, and Registered Nurse License Number 835770, 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)(10)&(13), 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 September 28, 2022.

## 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 a Psychiatric/mental Health Nurse Practitioner is in current status with Prescription Authorization Number 12804 in current status.
4. Respondent received a Baccalaureate Degree in Nursing from Rutgers State University, Newark, New Jersey, on May 1, 1981, and received a Master's Degree in Nursing from The University of Rochester School of Nursing, Rochester, New York, in 2010. Respondent was licensed to practice professional nursing in the State of New Jersey on

August 1, 1981, and was licensed to practice professional nursing in the State of Texas on May 7, 2013. Respondent was licensed to practice advanced practice registered nursing in the State of Texas with authorization as a Psychiatric/Mental Health Nurse Practitioner with Prescription Authorization on July 20, 2012.

5. Respondent's nursing employment history includes:

7/2012 – 2013	Psychiatric/Mental Health Nurse Practitioner	Cedar Crest Hospital Belton, Texas
7/2012- Present	Psychiatric/Mental Health Nurse Practitioner	Self-Employed San Angelo, Texas
2013-2014	Psychiatric/Mental Health Nurse Practitioner	MHMR of Concho Valley San Angelo, Texas
2014	Psychiatric/Mental Health Nurse Practitioner	Rivercrest Hospital San Angelo, Texas

6. At the time of the incident, Respondent was self-employed as a Psychiatric/ Mental Health Nurse Practitioner, San Angelo, Texas, and had been in that position for three (3) years and eleven (11) months.
7. On or about June 3, 2016, through May 28, 2019, while self-employed as a Psychiatric/Mental Health Nurse Practitioner, San Angelo, Texas, Respondent did not adequately and consistently document the performance of physical assessments, the obtaining of vital signs, the ordering of laboratory testing, and the monitoring of blood levels in regard to Patient P.B., who had been diagnosed with Hepatitis C, bipolar disorder, and depression. Respondent created an incomplete medical record and potentially increased the patient's risk for complications of worsening depression, hypoglycemia, and liver function issues. These acts or omissions may have possibly contributed to the patient's demise by suspected suicide.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent maintains that the care provided, while not always fully documented in the patient record, constituted a therapeutic combination of psychotherapy and medication management. Further, Respondent maintains that the patient was educated on prescribed medications, the patient had been consistently compliant with respect to medication management, the patient saw other providers who monitored lab values, and that not only did the patient deny suicidal ideation, but he was also forward thinking and enthusiastically reported his engagement in ongoing spiritual and personal growth. The patient was an active participant in AA and was participating in marriage counseling through his church.
9. Respondent reports that she has voluntarily reduced her practice and is slowing down as part of an ongoing transition out-of-state in anticipation of retirement.

10. Respondent has never been the subject of sanction by any governmental entity or private sector organization, has no malpractice history, no criminal record, no record of adverse peer review, and no history of academic regularities.

11. Formal Charges were filed on May 21, 2021.

#### 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. 22 TEX. ADMIN. CODE §217.11 (1)(A) and (1)(D)&(4) and 22 TEX. ADMIN. CODE §217.12(1)(B)&(1)(C) and 221.12 and 221.13.
4. The evidence received is sufficient cause pursuant to Section 301.452(b),(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP122138 with Prescription Authorization Number 12804, and Registered Nurse License Number 835770, heretofore issued to CINDY MCALLISTER SLIMAK.
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** and RESPONDENT'S license(s), and any privilege(s) to practice, as applicable, shall be placed in **INACTIVE** status.

Should RESPONDENT decide in the future to reactivate his/her license(s) to practice nursing in the State of Texas, RESPONDENT SHALL be required to petition the Board for reactivation of the license and satisfy all then existing requirements for

reactivation. Further, RESPONDENT'S reactivated license(s) SHALL BE subject to, at a minimum, the remedial education courses, work restrictions, supervised practice, and employer reporting which would have been requirements of this Order had RESPONDENT not chosen to inactivate his/her nursing license(s).

Until such time that RESPONDENT'S license(s) to practice nursing in the State of Texas is/are reactivated, RESPONDENT SHALL NOT use a Privilege to Practice Nursing in the State of Texas from any Nurse License Compact member state.

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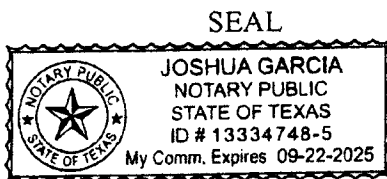
### RESPONDENT'S CERTIFICATION

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. I further understand that, should I decide in the future to reactivate my license(s), I will be required to satisfy, at a minimum, the additional requirements that would have been part of this Order had the license(s) not been placed in inactive status, as stated herein, as well as all then existing requirements for reactivation.

Signed this 3<sup>rd</sup> day of October, 2022.

Cindy McAllister Slimak  
CINDY McALLISTER SLIMAK, RESPONDENT

Sworn to and subscribed before me this 03 day of October, 2022.



Joshua Garcia  
Notary Public in and for the State of TEXAS


Approved as to form and substance.

Tim Weitz  
Tim Weitz, Attorney for Respondent

Signed this 3<sup>rd</sup> day of October, 2022.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 3<sup>rd</sup> day of October, 2022, by CINDY MCALLISTER SLIMAK, Advanced Practice Registered Nurse License Number AP122138, and Registered Nurse License Number 835770, and said Agreed Order is final.

Effective this 19<sup>th</sup> day of January, 2023.

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