



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.
Kristin K. Benton, DNP, RN
Executive Director
Texas Board of Nursing

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Vocational Nurse License Number 232571 §
issued to AMBER DAWN HUTSON SIMS §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of AMBER DAWN HUTSON SIMS, Vocational Nurse License Number 232571, 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)(1)&(10), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Kristin K. Benton, DNP, RN, Executive Director, on August 2, 2023.

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 vocational nurse in the State of Texas is in current status.
- 4. Respondent received a Certificate in Vocational Nursing from Odessa College, Andrews, Texas, on August 14, 2010. Respondent was licensed to practice vocational nursing in the State of Texas on January 11, 2011.
- 5. Respondent's nursing employment history includes:

2/12 – 8/12 LVN Medical Center Hospital Urgent Care
Odessa, Texas

8/12 – 8/18 Not employed in nursing

Respondent's nursing employment history continued:

8/18 – 3/20 LVN Focused Care
Odessa, Texas

6. On or about December 14, 2010, Respondent was issued an Agreed Order through an Order of the Board. Respondent has not successfully completed this Order. A copy of the December 14, 2010. Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about February 17, 2012, through August 3, 2012, Respondent failed to ensure Respondent's employer Medical Center Hospital Urgent Care, Odessa, Texas, submitted the Board's "Notification of Employment" form to the Board's office as required by the Agreed Order issued on December 14, 2010.
8. On or about February 17, 2012, through August 3, 2012, Respondent failed to ensure Respondent's employer Medical Center Hospital Urgent Care, Odessa, Texas, submitted quarterly nursing performance evaluations to the Board's office as required by the Agreed Order issued December 14, 2010.
9. On or about August 17, 2019, through March 24, 2020, Respondent failed to ensure Respondent's employer, Focused Care, Odessa, Texas, submitted the Board's "Notification of Employment" form to the Board's office as required by the Agreed Order issued December 14, 2010.
10. On or about August 17, 2019, through March 24, 2020, Respondent failed to ensure Respondent's employer, Focused Care, Odessa, Texas, submitted quarterly nursing performance evaluations to the Board's office as required by the Agreed Order issued December 14, 2010.
11. In response to Findings of Fact Numbers Seven (7) through Ten (10), Respondent states she started work with Urgent Care and provided the court order and notification of employment that her supervisor signed and mailed to the Board. Respondent states she worked there until August 3, 2013. Respondent knows this very well, since this is when she found out at work that a family member had terminal cancer.

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 §217.12 (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 232571, heretofore issued to AMBER DAWN HUTSON SIMS.
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 FINE** 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. Until successfully completed, RESPONDENT may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- D. 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. SUPERSEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Agreed Order SHALL supersede all previous stipulations required by any Order entered by the Texas Board of Nursing.

IV. 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.

V. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft, and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study and video programs will not be approved.
- B. **The course "Righting a Wrong,"** a 3.0 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) International Center for Regulatory Scholarship (ICRS).

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

VI. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five hundred dollars (\$500.00) within forty-five (45) days of the effective date of this Order.**

Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

VII. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a 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 a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

A. Notifying Present and Future Employers: RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.

B. Notification of Employment Forms: RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment"

form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.

- C. **Indirect Supervision:** RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years of experience in the same or similar practice setting to which the RESPONDENT is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **Nursing Performance Evaluations:** 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 completed by the individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

VIII. CONSEQUENCES OF CONTINUED NONCOMPLIANCE

Continued noncompliance with the unfulfilled requirements of this or any Order previously issued by the Texas Board of Nursing, as applicable, may result in further investigation and subsequent disciplinary action, including denial of licensure renewal or revocation of RESPONDENT'S license(s) and/or privileges to practice nursing in the State of Texas.

IX. 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.

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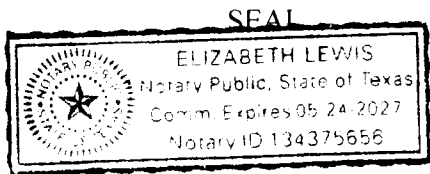
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. 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 9 day of October, 2023.

Amber Dawn Hutson Sims
AMBER DAWN HUTSON SIMS, RESPONDENT

Sworn to and subscribed before me this 9 day of October, 2023.




Elizabeth Lewis

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 9th day of October, 2023, by AMBER DAWN HUTSON SIMS, Vocational Nurse License Number 232571, and said Agreed Order is final.

Effective this 14th day of November, 2023.



Kristin K. Benton, DNP, RN
Executive Director on behalf
of said Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
AMBER DAWN HUTSON SIMS,
PETITIONER for Eligibility for Licensure

§
§
§

AGREED

ELIGIBILITY ORDER



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

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Declaratory Order and supporting documents filed by AMBER DAWN HUTSON SIMS, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be ineligible for licensure pursuant to Sections 301.452(b)(3)&(10) and 301.453, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on September 22, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

FINDINGS OF FACT

1. On or about October 26, 2009, PETITIONER submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
2. Petitioner waived representation by counsel, informal proceedings, notice and hearing, and consented to the entry of this Order.
3. Petitioner was enrolled in a Vocational Nursing Program at Austin Community College, Austin, Texas, at the time of this petition.

4. Petitioner completed the Petition for Declaratory Order and answered "yes" to the question which reads as follows: *"For any criminal offense, including those pending appeal, have you:*

- A. been convicted of a misdemeanor?*
 - B. been convicted of a felony?*
 - C. pled nolo contendere, no contest, or guilty?*
 - D. received deferred adjudication?*
 - E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?*
 - F. been sentenced to serve jail or prison time? court-ordered confinement?*
 - G. been granted pre-trial diversion?*
 - H. been arrested or have any pending criminal charges?*
 - I. been cited or charged with any violation of the law?*
 - J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?*
- (You may only exclude Class C misdemeanor traffic violations.)"*

5. Petitioner disclosed the following criminal history, to wit:

- A. On or about August 23, 1996, Petitioner was arrested by the Odessa Police Department, Odessa, Texas, for THEFT OF PROPERTY >=\$500 <\$1500, a Class A misdemeanor offense.

On or about December 23, 1996, Petitioner entered a plea of Guilty to THEFT >=\$500 <\$1,500 (a Class A misdemeanor offense committed on August 23, 1996), in the County Court at Law No. 2 of Ector County, Texas, under Cause No. 96-2224. As a result of the plea, the proceedings were deferred without entering an adjudication of guilt and Petitioner was placed on probation for six (6) months. Additionally, Petitioner was ordered to pay a fine and court costs.

- B. On or about September 5, 1996, Petitioner was arrested by the Odessa Police Department, Odessa, Texas, for THEFT <\$20 BY CHECK PB SERV, a Class B misdemeanor offense.

On or about December 23, 1996, Petitioner entered a plea of Guilty to THEFT >=\$50 <\$500 (a Class B misdemeanor offense committed on September 23, 1996), in the County Court at Law No. 2 of Ector County, Texas, under Cause No. 96-2226. As a result of the plea, the proceedings were deferred without entering an adjudication of guilt and Petitioner was placed on probation for six (6) months. Additionally, Petitioner was ordered to pay a fine and court costs.

- C. On or about November 24, 1999, Petitioner was arrested by the Odessa Police Department, Odessa, Texas, for CRIMINAL MISCHIEF <\$1500-IMPAIR/INTERRUPT PB SERVICE, a Class B misdemeanor offense.

On or about February 25, 2000, Petitioner entered a plea of Guilty and was convicted of CRIMINAL MISCHIEF >50 (a Class B misdemeanor offense committed on November 24, 1999), in the County Court at Law No. 2 of Ector County, Texas, under Cause No. 99-4366. As a result of the conviction, Petitioner was sentenced to confinement in the Ector County Jail for a period of three (3) days. Additionally, Petitioner was ordered to pay a fine and court costs.

- D. On or about September 13, 2001, Petitioner was arrested by the Midland Police Department, Midland, Texas, for THEFT OF PROPERTY >=\$50 <\$500, a Class B misdemeanor offense.

On or about April 5, 2004, Petitioner entered a plea of Nolo Contendere, was found Guilty and convicted of THEFT OF PROPERTY OF A VALUE OF AT LEAST \$50.00, BUT LESS THAN \$500.00 (a Class B misdemeanor offense committed on September 13, 2001), in the County Court at Law of Midland County, Texas, under Cause No. 93448. As a result of the conviction, Petitioner was sentenced to confinement in the Midland County Jail for a period of ninety (90) days; however, the imposition of sentence of confinement was suspended and Petitioner was placed on probation for six (6) months. On or about October 5, 2004, Petitioner was discharged from probation.

- E. On or about July 8, 2002, Petitioner was arrested by the Odessa Police Department, Odessa, Texas, for THEFT OF PROPERTY >=\$20 <\$500 BY CHECK, a Class B misdemeanor offense.

On or about October 24, 2002, Petitioner entered a plea of Guilty and was convicted of THEFT >=\$20 <\$500 BY CHECK (a Class B misdemeanor offense committed on July 8, 2002), in the County Court of Ector County, Texas, under Cause No. 02-2385. As a result of the conviction, Petitioner was sentenced to confinement in the Ector County Jail for a period of three (3) days.

- F. On or about March 20, 2003, Petitioner was arrested by the Odessa Police Department, Odessa, Texas, for THEFT OF PROPERTY >=\$20 <\$500, a Class B misdemeanor offense.

On or about May 5, 2003, Petitioner entered a plea of Guilty and was convicted of THEFT OF SERVICE >=\$20 <\$500 (a Class B misdemeanor offense committed on March 20, 2003), in the County Court at Law No. 2 of Ector County, Texas, under Cause No. 03-0846. As a result of the conviction, Petitioner was sentenced to confinement in the Ector County Jail for a period of three (3) days. Additionally, Petitioner was ordered to pay a fine and court costs.

- G. On or about May 30, 2006, Petitioner was arrested by the Midland Police Department, Midland, Texas, for HARASSMENT, a Class B misdemeanor offense.

On or about August 21, 2007, Petitioner entered a plea of Nolo Contendere, was found guilty and convicted of TELEPHONE HARASSMENT BY ELECTRONIC COMMUNICATIONS (a Class B misdemeanor offense committed on May 30, 2007), in the County Court at Law of Midland County, Texas, under Cause No. 113219. As a result of the conviction, Petitioner was sentenced to confinement in the Ector County Jail for a period of ninety (90) days; however, the imposition of sentence of confinement was suspended and Petitioner was placed on probation for one (1) year. On or about August 26, 2008, Petitioner was discharged from probation.

H. On or about October 16, 2006, Petitioner was arrested by the Odessa Police Department, Odessa, Texas, for ASSAULT CAUSES BODILY INJURY - FAMILY MEMBER, a Class A misdemeanor offense. On or about January 4, 2007, the offense of ASSAULT CAUSING BODILY INJURY - FAMILY MEMBER (a Class A misdemeanor offense committed on October 16, 2006), was dismissed in the County Court at Law No. 2 of Ector County, Texas, under Cause No. 06-2808, after Petitioner's completion of Anger Resolution Training.

6. There is no evidence of any subsequent criminal conduct.
7. Petitioner has sworn that, with the exception of matters disclosed in connection with the Petition for Declaratory Order, her past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
8. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
10. The Executive Director considered evidence of Petitioner's past criminal conduct in light of the considerations and criteria provided in 22 TEX. ADMIN. CODE §§213.28 & 213.33, and, if applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
11. Licensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
12. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
13. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

14. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.
2. On or about October 26, 2009, PETITIONER submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for denial of a license under Section 301.452(b)(3)&(10), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. The Board may license an individual who has been previously convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not a sentence was imposed upon consideration of the factors set out in 22 TEX. ADMIN. CODE §213.28 and evaluating the direct relationship to nursing according to 22 TEX. ADMIN. CODE §213.28 and, if applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
7. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

ORDER

NOW, THEREFORE, IT IS AGREED that, upon meeting the requirements for graduation of an appropriate program in nursing education and payment of any required fees, PETITIONER is ELIGIBLE to sit for the National Council Licensure Examination for Practical

Nurses (NCLEX-PN® Examination) and/or the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination), as applicable.

IT IS FURTHER AGREED that PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Vocational Nurse (GVN) and/or as a Graduate Nurse (GN), as applicable, in the State of Texas.

IT IS FURTHER AGREED that, upon payment of any required fees and upon attaining a passing grade on the appropriate National Council Licensure Examination, PETITIONER shall be issued the applicable license to practice nursing in the State of Texas, and all licenses issued to PETITIONER shall be subject to the following stipulations:

PETITIONER SHALL obtain and read the Texas Nursing Practice Act and the Rules and Regulations Relating to Nurse Education, Licensure, and Practice.

PETITIONER SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.*, and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while PETITIONER'S license(s) is/are encumbered by this Order, PETITIONER may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where PETITIONER wishes to work.

(1) PETITIONER SHALL, within one (1) year of licensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER SHALL obtain Board approval

of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify PETITIONER'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, SHOULD PETITIONER PRACTICE AS A NURSE IN THE STATE OF TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND PETITIONER MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(2) PETITIONER SHALL notify each present employer in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER 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 within five (5) days of receipt of this Order. PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(3) PETITIONER SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within ten (10) days of receipt of this Order. PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(4) PETITIONER SHALL be supervised by a Registered Nurse, if licensed and practicing as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed and practicing as a Licensed Vocational Nurse, who is on the premises. The supervising Nurse is not required to be on the same unit or ward as PETITIONER, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(5) PETITIONER SHALL CAUSE each employer to submit, on forms provided to

the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER shall be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application and/or petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application and/or petition, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

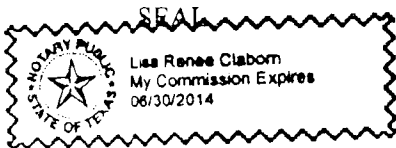
I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 28 day of October, 2010.

Amber Dawn Hutson Sims
AMBER DAWN HUTSON SIMS, PETITIONER


Sworn to and subscribed before me this 28 day of October, 2010.

Lisa Claborn
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Eligibility Order that was signed on the 28th day of October, 2010, by AMBER DAWN HUTSON SIMS, PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this 14th day of December, 2010.



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