



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

**In the Matter of
Permanent Registered Nurse
License Number 749361 &
Permanent Vocational Nurse
License Number 204396
Issued to MARY KATHERINE WILBURN-
BRANNON,
Respondent**

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

ORDER OF THE BOARD

TO: Mary Wilburn-Brannon
3101 Olive St
Texarkana, TX 75503

During open meeting held in Austin, Texas, on November 12, 2024, 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 749361, and Permanent Vocational Nurse License Number 204396, previously issued to MARY KATHERINE WILBURN-BRANNON 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 12th day of November, 2024.

TEXAS BOARD OF NURSING

BY: Kristin K. Benton, DNP, RN

KRISTIN K. BENTON, DNP, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed August 28, 2024

d17r(2024.10.04)

Re: Permanent Registered Nurse License Number 749361
& Permanent Vocational Nurse License Number 204396
Issued to MARY KATHERINE WILBURN-BRANNON
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of November, 2024, 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

Mary Wilburn-Brannon
3101 Olive St
Texarkana, TX 75503

Copy Via USPS First Class Mail

add any CC addresses

BY: Kristin K. Benton, DNP, RN

KRISTIN K. BENTON, DNP, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



Texas Board of Nursing

1801 Congress Avenue, Suite 10-200 Austin, TX 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov
Kristin K. Benton, DNP, RN
Executive Director

September 3, 2024

Certified Mail No. 9214 8901 9403 8300 0076 2192 37
Return Receipt Requested, Copy Via USPS First Class Mail

Mary Katherine Wilburn-Brannon
3101 Olive St
Texarkana, TX 75503

Dear Ms. Wilburn-Brannon:

Enclosed are Formal Charges which have been filed concerning your nursing license(s) because your pending alleged violation(s) of Section 301.452(b) of the Nursing Practice Act, TEXAS OCCUPATIONS CODE, have not been resolved. Within three (3) weeks from the date of this letter, you **must file a written answer to each charge** admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify those facts that are true and deny the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Send your written answer to the attention of Tamika Rose, Investigator, at the above address. You may obtain legal counsel at your own expense.

FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.

If a written answer to the Formal Charges is not received within three (3) weeks from the date of this letter, this matter will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license(s) and/or nurse licensure compact privilege(s) to practice nursing in the State of Texas.

The result of any disciplinary action, including any default order or formal disposition (Board Order), is public information. Dispositions, including default orders and formal dispositions, will appear in the Board's quarterly newsletter and will be reported to the National Council of State Boards of Nursing, Inc., and the National Practitioner Data Bank (NPDB).

Kathy Shipp, MSN, APRN, FNP
Lubbock, *President*

Allison Porter-Edwards, DrPH, MS, RN, CNE
Bellaire, *Vice-President*

Mary Katherine Wilburn-Brannon
September 3, 2024
Page 2

Should you desire to discuss this matter, contact Tamika Rose, Investigator, at (512) 305-6812.

Sincerely,

Kristin K. Benton, DNP, RN
Kristin K. Benton, DNP, RN
Executive Director

KKB/230

Enclosure: Formal Charges

DA(2024.09.03)

In the Matter of §
Permanent Registered Nurse §
License Number 749361 & § **BEFORE THE TEXAS**
Permanent Vocational Nurse §
License Number 204396 §
Issued to MARY KATHERINE WILBURN- § **BOARD OF NURSING**
BRANNON,
Respondent

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MARY KATHERINE WILBURN-BRANNON, is a Registered Nurse holding license number 749361, which is in delinquent status at the time of this pleading. Further, Respondent is a Vocational Nurse holding license number 204396, which is in inactive 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 November 18, 2023, Respondent failed to complete a Board approved course in Texas nursing jurisprudence and ethics as required by the Order issued on June 8, 2021.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE II.

On or about November 18, 2023, Respondent failed to complete the course Sharpening Critical Thinking Skills as required by the Order issued on June 8, 2021.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(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.

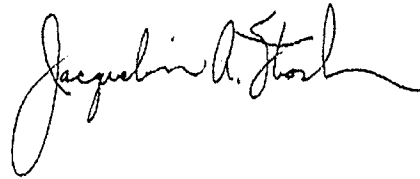
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

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.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order(s) of the Board dated May 8, 2012, and June 8, 2021.

Filed this 28th day of August, 2024

TEXAS BOARD OF NURSING



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

John Vanderford, Deputy General Counsel
State Bar No. 24086670

JoAnna Starr, Assistant General Counsel
State Bar No. 24098463

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

Eugene A. Clayborn, Assistant General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 00785767

Kristin Giaquinta Schoen, Assistant General Counsel
State Bar No. 24055547

1801 Congress Avenue, Suite 10-200
Austin, Texas 78701

P: (512) 305-8657

F: (512) 305-8101 or (512) 305-7401

Attachment(s): Order(s) of the Board dated May 8, 2012, and June 8, 2021.
D(2024.07.03)

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	REINSTATEMENT
Registered Nurse License Number 749361	§	AGREED ORDER
& Vocational Nurse License Number 204396	§	
issued to MARY KATHERINE WILBURN-	§	
BRANNON	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement, hereinafter referred to as the Petition, of Registered Nurse License Number 749361, and Vocational Nurse License Number 204396, held by MARY KATHERINE WILBURN-BRANNON, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Reinstatement Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on April 19, 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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Reinstatement Agreed Order.
3. Petitioner received a Certificate in Vocational Nursing from Austin Community College, Austin, Texas, on May 11, 2006. Petitioner received an Associate Degree in Nursing from Austin Community College, Austin, Texas, on December 13, 2007. Petitioner was licensed to practice vocational nursing in the State of Texas on June 13, 2006. Petitioner was licensed to practice professional nursing in the State of Texas on January 8, 2008.
4. Petitioner's nursing employment history includes:

6/2006 – 2008	Licensed vocational nurse	St. David's Hospital Georgetown, Texas
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Petitioner's nursing employment history continued:

2008 – 2010	Registered nurse	St. David's Austin, Texas
2010 – 2012	Registered nurse case manager	Wesleyn Hospice Georgetown, Texas
10/2012 – Present	Not employed in nursing	

5. On or about May 8, 2012, Petitioner's licenses to practice nursing in the State of Texas were Revoked through an Order of the Board. A copy of the May 8, 2012, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
6. On or about June 17, 2020, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. Petitioner presented the following in support of said petition:
 - A. Letter of support from Petitioner's neighbor, Shannon Lykins.
 - B. Letter of support from managing partner of Whispering Pines Nursing and Rehab, Joanna Nabors Horton.
 - C. Letter of support from the Vice President of Higher Ground, Kelli Alexander.
 - D. Written statement from Petitioner.
 - E. Documentation of the required continuing education contact hours.
8. On March 26, 2021, Petitioner completed a chemical dependency evaluation performed by Casey O'Neal, Ph.D. According to Dr. O'Neal, all tests were within normal limits and thus not indicative or suggestive of a substance use issue- her previous substance use was the result of a back injury. Petitioner's back injury caused her to feel unsafe to perform critical care.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for relicensure.
10. Relicensure 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.
11. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. This reinstatement is made pursuant to Sections 301.453(c) and 301.467, Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26.
3. The Board may relicense an individual upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, if 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.
4. 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).
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. REINSTATEMENT OF LICENSURE AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of MARY KATHERINE WILBURN-BRANNON for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and Registered Nurse License Number 749361, and Vocational Nurse License Number 204396 is/are hereby **REINSTATED** in accordance with the terms of this Order.

- A. Until successfully completed, this Order SHALL apply to any and all future licenses issued to PETITIONER to practice nursing in the State of Texas.
- B. Until successfully completed, this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

- C. As a result of this Order, PETITIONER'S license(s) will be designated "single state" as applicable and PETITIONER 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, PETITIONER 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 Reinstatement Agreed Order.

III. REQUIREMENTS FOR REFRESHER COURSE, EXTENSIVE ORIENTATION, OR NURSING PROGRAM OF STUDY IN PROFESSIONAL REGISTERED NURSING

Prior to practicing as a registered nurse in the State of Texas, PETITIONER SHALL:

- A. Apply for a Six Month Temporary Permit to Complete Refresher Course, Extensive Orientation, or Nursing Program of Study in Professional Registered Nursing for the limited purpose of completing a refresher course, extensive orientation, or nursing program of study in professional registered nursing. The application for the Six Month Temporary Permit is available via the Nurse Portal on the Board's website (www.bon.texas.gov). PETITIONER SHALL NOT, in any way, attempt to use the temporary permit for any purpose other than completing the refresher course, extensive orientation, or nursing program of study in professional registered nursing.
- B. Successfully complete a Board approved refresher course, extensive orientation, or nursing program of study for professional registered nursing. Petitioner MUST obtain Board approval of the nursing refresher course, extensive orientation, or nursing program, as applicable, prior to enrollment. In order for the course to be approved, the target audience shall include registered nurses and the course's content shall, at a minimum, include: 1) Review of NPA, Rules, Position Statements; 2) Determination of Individual Scope of Practice and role in patient safety; 3) Review of the nursing process to include assessment, planning, implementation, and evaluation; 4) Pharmacology review; 5) Medication administration; 6) Documentation, quality assurance, and legal implication for nursing practice; and, 7) Documentation of current CPR certification prior to beginning precepted clinical learning experience. The course

must contain no less than a total of 80 hours of clinical practice providing direct patient care supervised by a qualified registered nurse instructor who meets or exceeds the Board's minimum criteria for eligibility as an instructor. Home study courses and video programs will not be approved.

- C. Upon completion of the refresher course, extensive orientation, or nursing program of study for professional registered nursing, PETITIONER SHALL return the temporary permit to the Board's office and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required 80 hours of supervised practice.

- D. Upon verification of successful completion of the conditions as set out in Paragraphs A through C of this Section, PETITIONER SHALL submit a completed License Reactivation Form for Registered Nurses, which is available via the Nurse Portal on the Board's website (www.bon.texas.gov). PETITIONER shall pay all re-registration fees and, subject to meeting all other requirements for licensure in Texas, shall be issued the applicable license to practice registered nursing in the State of Texas, which shall be subject to the terms of this Order.

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) within one (1) year of relicensure, 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 "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), PETITIONER 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. PETITIONER 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.*

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, PETITIONER 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 eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) 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:** PETITIONER 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, PETITIONER 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:** PETITIONER 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. PETITIONER 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. **No Critical Care:** For the first year [four (4) quarters] of employment as a Nurse under this Order, PETITIONER SHALL NOT practice as a nurse in any critical care area. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

- D. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, PETITIONER SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on 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.
- E. **Indirect Supervision:** For the remainder of the stipulation/probation period, PETITIONER 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 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 of 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.
- F. **Nursing Performance Evaluations:** 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 individual who supervises the PETITIONER 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 eight (8) quarters [two (2) years] of employment as a nurse.

VI. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, PETITIONER SHALL abstain from the use of alcohol, nalbuphine, propofol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, PETITIONER SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that the prescriptions for controlled substances are required for periods of two (2)

weeks or longer, the Board may require and PETITIONER SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

B. While working as a nurse under the terms of this Order, PETITIONER SHALL submit to random periodic screens for alcohol, nalbuphine, propofol and all controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when PETITIONER obtains employment and submits the Notification of Employment form to the Board.

- For the first year [four (4) quarters] PETITIONER works as a nurse under the terms of this Order, random screens shall be performed at least once per month.
- For the remainder of the probation period, if any, random screens shall be performed at least once every three (3) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Any test result for a period of time in which the PETITIONER is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. PETITIONER SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

Specimens shall be screened for any or all of the following substances and/or their metabolites:

Amphetamine	Methamphetamine	MDMA
MDA	Alprazolam	Diazepam
Alpha-o-alprazolam	Alpha-Hydroxytriazolam	Clonazepam
Desmethyldiazepam	Lorazepam	Midazolam
Oxazepam	Temazepam	Amobarbital
Butobarbital	Butalbital	Pentobarbital
Phenobarbital	Secobarbital	Codeine
Hydrocodone	Hydromorphone	Methadone
Morphine	Opiates	Oxycodone
Oxymorphone	Propoxyphene	Cannabinoids
Cocaine	Phencyclidine	Ethanol
Heroin	Fentanyl	Tramadol
Meperidine	Carisoprodol	Butorphanol
Nalbuphine	Ketamine	Propofol

Upon enrollment in the Board's drug and alcohol testing program, **PETITIONER SHALL, on a daily basis, call or login online to the Board's designated drug and alcohol testing vendor to determine whether or not PETITIONER has been selected to produce a specimen for screening that day** and SHALL, if selected, produce a specimen for screening that same day at an approved testing location and/or comply with any additional instructions from the vendor or Board staff. Further, **a Board representative may appear** at the PETITIONER'S place of employment at any time during the probation period and require PETITIONER to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which PETITIONER does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject PETITIONER to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Petitioner's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

VII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Reinstatement Agreed Order, all encumbrances will be removed from PETITIONER'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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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CONTINUED ON NEXT PAGE.

PETITIONER'S CERTIFICATION

I understand this Order is conditioned upon the accuracy and completeness of my petition and disclosures. I further understand that subsequently discovered discrepancies in my petition and/or disclosures will result in investigation and possible disciplinary action, up to revocation of my license(s).

I have reviewed this Order. I understand that I have the right to legal counsel prior to signing this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. 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 TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, and/or REVOCATION of my license(s) and/or nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11 day of May, 2021.

Mary Katherine Wilburn-Brannon
MARY KATHERINE WILBURN-BRANNON,

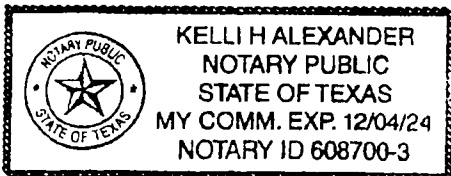
PETITIONER

Sworn to and subscribed before me this 11 day of May, 2021.

SEAL

Kelli H Alexander

Notary Public in and for the State of Texas



Approved as to form and substance.

Alejandro Mora
Alejandro Mora, Attorney for Petitioner

Signed this _____ day of _____, 20____.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 11th day of May, 20 21, by MARY KATHERINE WILBURN-BRANNON, Registered Nurse License Number 749361, and Vocational Nurse License Number 204396, and said Reinstatement Agreed Order is final.

Effective this 8th day of June, 2021.



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

IN THE MATTER OF
REGISTERED NURSE LICENSE NUMBER
749361 and VOCATIONAL NURSE
LICENSE NUMBER 204396
ISSUED TO
MARY KATHERINE WILBURN-BRANNON

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



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.
Ashley C. Johnson
Executive Director of the Board

ORDER OF THE BOARD

TO: Mary Katherine Wilburn-Brannon
913 Oldwick Castle Way
Pflugerville, Texas 78660

During open meeting held in Austin, Texas, on Tuesday, May 8, 2012, the 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 of the Texas Board of Nursing 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 to practice professional and vocational 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 Eligibility and Disciplinary 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.

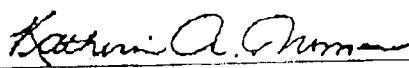
NOW, THEREFORE, IT IS ORDERED that Registered Nurse License Number 749361 and Vocational Nurse License Number 204396, previously issued to MARY KATHERINE WILBURN-BRANNON, to practice professional and vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 8th day of May, 2012.

TEXAS BOARD OF NURSING

BY:


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

Attachment: Formal Charge filed February 28, 2012.

Re: Registered Nurse License Number 749361 and
Vocational Nurse License Number 204396
Issued to MARY KATHERINE WILBURN-BRANNON
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9 day of May, 2012, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

MARY KATHERINE WILBURN-BRANNON
913 Oldwick Castle Way
Pflugerville, Texas 78660

BY:



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

In the Matter of Registered Nurse
License Number 749361 and Vocational
Nurse License Number 204396, Issued to
MARY KATHERINE WILBURN-BRANNON, Respondent

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BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MARY KATHERINE WILBURN-BRANNON, is a Registered Nurse holding license number 749361, which is in current status at the time of this pleading, and Vocational Nurse License Number 204396, which is in current 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 October 7, 2008, through October 15, 2008, while employed as a Registered Nurse with St. David's Medical Center, Austin, Texas, Respondent withdrew Hydrocodone and Propoxyphene from the Medication Dispensing System for patients in excess frequency/dosage of the physicians' orders, as follows:

Patient	Date	Time Pulled	Medication	MAR	Order
12783153	10/07/08	0745	Hydrocodone/APAP 5/325 (1)	0745	Norco 5/325 1-2 tab PO Q4Hrs PRN
12783153	10/07/08	1135	Hydrocodone/APAP 5/325 (1)	1135	Norco 5/325 1-2 tab PO Q4Hrs PRN
12782950	10/07/08	0753	Hydrocodone/APAP 10/325 (1)	0801	Norco 10/325 1 tab PO Q4Hrs PRN
12782950	10/07/08	1143	Hydrocodone/APAP 10/325 (1)	1149	Norco 10/325 1 tab PO Q4Hrs PRN
12783153	10/09/08	1154	Hydrocodone/APAP 5/325 (2)	1201	Norco 5/325 1-2 tab PO Q4Hrs PRN
12783153	10/09/08	1537	Hydrocodone/APAP 5/325 (2)	1544	Norco 5/325 1-2 tab PO Q4Hrs PRN
12782757	10/15/08	0704	Propoxyphene/APAP 100/650 (2)	0725	Propoxyphene/APAP 100/650 1-2 tab PO Q4-6Hrs PRN
12782757	10/15/08	1115	Propoxyphene/APAP 100/650 (2)	1121	Propoxyphene/APAP 100/650 1-2 tab PO Q4-6Hrs PRN
12782757	10/13/08	1405	Propoxyphene/APAP 100/650 (2)	1417	Propoxyphene/APAP 100/650 1-2 tab PO Q4-6Hrs PRN
12782757	10/13/08	1735	Propoxyphene/APAP 100/650 (2)	1741	Propoxyphene/APAP 100/650 1-2 tab PO Q4-6Hrs PRN

Respondent's conduct was likely to injure the patient in that the administration of Hydrocodone and Propoxyphene in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.

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),(B),(C)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B) and (4).

CHARGE II.

On or about May 24, 2009, while employed as a Registered Nurse with St. David's Medical Center, Austin, Texas, Respondent left a patient in a wheelchair after a shower with only a diaper and T-shirt on, visible from the hallway. Respondent's conduct failed to maintain the patient's dignity or protect the patient's right to privacy, which was likely to cause emotional harm.

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)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4)&(6)(C).

CHARGE III.

On or about May 24, 2009, while employed as a Registered Nurse with St. David's Medical Center, Austin, Texas, Respondent failed to follow physician's orders to administer STAT fluids to a critically ill patient. Additionally, Respondent failed to recheck the patient's blood pressure after fluids were administered, as ordered by the physician. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.

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),(B),(C)&(M), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B) and (4).

CHARGE IV.

On or about May 24, 2009, while employed as a Registered Nurse with St. David's Medical Center, Austin, Texas, Respondent failed to follow physician's orders for antibiotics to be administered at 1400. Respondent still had not administered the antibiotics at 1630. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.

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),(B),(C)&(M), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B) and (4).

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 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. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal

and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

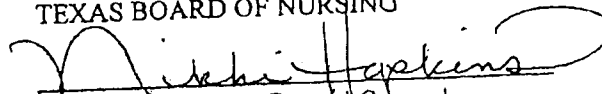
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, for Fraud, Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

Filed this 28th day of February, 2012

TEXAS BOARD OF NURSING



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Board Certified - Administrative Law
Texas Board of Legal Specialization
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