

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 601607 and PERMANENT  
CERTIFICATE NUMBER 129692  
ISSUED TO  
ANN MICHELE MILLER-KLECKA

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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.  
*Patricia P. Thomas*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: ANN MICHELE MILLER-KLECKA  
450 Quarter Horse Road  
Whitney, Texas 76692

During open meeting held in Austin, Texas, on May 10, 2011, 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 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 Permanent Certificate Number 601607 and Permanent Certificate Number 129692, previously issued to ANN MICHELE MILLER-KLECKA, to practice 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 nursing in the State of Texas.

Entered this 10th day of May, 2011.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed December 27, 2010.

Re: Permanent Certificate Number 601607 and Permanent Certificate Number 129692  
Issued to ANN MICHELE MILLER-KLECKA  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12<sup>th</sup> day of May, 2011, 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):

ANN MICHELE MILLER-KLECKA  
450 Quarter Horse Road  
Whitney, Texas 76692

BY:



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

In the Matter of Registered Nurse License	§	BEFORE THE TEXAS
Number 601607 and Vocational Nurse License	§	
Number 129692, Issued to	§	
ANN MICHELE MILLER-KLECKA, Respondent	§	BOARD OF NURSING

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANN MICHELE MILLER-KLECKA, is a Registered Nurse holding license number 601607, which is in delinquent status at the time of this pleading, and is a Vocational Nurse holding license number 129692, 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 22, 2008, while employed with Hill Regional Hospital, Hillsboro, Texas, Respondent left her nursing assignment without notifying the appropriate personnel. Four telemetry patients, Medical Record Numbers 134099, 126828, 142179, and 116340; and one CCU patient Medical Record Number 0117397 were left unattended with only a monitor tech who was still in orientation on the unit. Respondent's conduct failed to promote a safe environment in that her absence left placed the patients at risk of no licensed, trained personnel to care for them in a possible emergency.

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),(1)(B),(1)(I),(1)(S)&(3)(B) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(D),(1)(F)&(4).

**CHARGE II.**

On or about July 29, 2010, Respondent plead "Nolo Contendere" to "Possession of a Controlled Substance," Penalty Group One, (a third degree felony offense committed on May 13, 2009), in the 66<sup>th</sup> District Court, Hill County, Hillsboro, Texas, Case Number 35,929. As a result of Respondent's plea, Respondent was placed on three years deferred adjudication probation, and ordered to pay a fine, court costs,, and ordered to perform community service restitution.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to 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.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.state.tx.us/disciplinaryaction/discp-matrix.html](http://www.bon.state.tx.us/disciplinaryaction/discp-matrix.html).

Filed this 27<sup>th</sup> day of December, 20 10.

TEXAS BOARD OF NURSING

  
James W. Johnston, General Counsel

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Texas Board of Legal Specialization  
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