IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 175821	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
BRANDY LYNN TAYLOR	§	BOARD OF NURSING

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.
Executive Director of the Board

ORDER OF THE BOARD

TO: Brandy Lynn Taylor
148 MC 6
Doddridge, AR 71834

During open meeting held in Austin, Texas, on February 8, 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 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

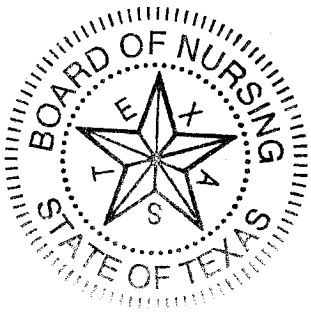
proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity 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 Permanent Certificate Number 175821, previously issued to BRANDY LYNN TAYLOR, to practice 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 vocational nursing in the State of Texas.

Entered this 8th day of February, 2011.



TEXAS BOARD OF NURSING

BY: _____

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

Attachment: Formal Charge filed .

Re: Permanent Certificate Number 175821
Issued to BRANDY LYNN TAYLOR
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of February, 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):

Brandy Lynn Taylor
148 MC 6
Doddridge, AR 71834

BY: Katherine A. Thomas

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

In the Matter of Permanent License	§	BEFORE THE TEXAS
Number 175821, Issued to	§	
BRANDY LYNN TAYLOR, Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, BRANDY LYNN TAYLOR, is a Vocational Nurse holding license number 175821, which is in MSR Invalid 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.

In July 2008, while utilizing her multistate licensure compact privilege associated with her license to practice vocational nursing in the State of Arkansas and employed with CHRISTUS St. Michael Health System, Texarkana, Texas, Respondent admitted that she engaged in the intemperate use of Dilaudid and Hydrocodone that she misappropriated from the facility. Possession of Dilaudid and Hydrocodone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Dilaudid and Hydrocodone by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12 (1)(A), (4),(6)(G), (8) &(10)(A).

CHARGE II.

In July 2008, while utilizing her multistate licensure compact privilege associated with her license to practice vocational nursing in the State of Arkansas and employed with CHRISTUS St. Michael Health System, Texarkana, Texas, Respondent admitted that she failed to properly waste unused portions of Demerol and Dilaudid in order to misappropriate the unused portions for her own personal use. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12 (1)(A),(4),(6)(G),(10)(C)&(11)(B).

CHARGE III.

On November 13, 2008, Respondent's license to practice practical nursing in the State of Arkansas was probated by the Arkansas Board of Nursing due to the allegations contained in Formal Charges I and II. A copy of the November 13, 2008, Consent Agreement, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

CHARGE IV.

On July 13, 2009, Respondent surrendered her license to practice practical nursing in the State of Arkansas to the Arkansas Board of Nursing in lieu of compliance with the Consent Order issued to her on November 13, 2008. A copy of the July 13, 2009 Order of Voluntary Surrender is attached and incorporated, by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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.

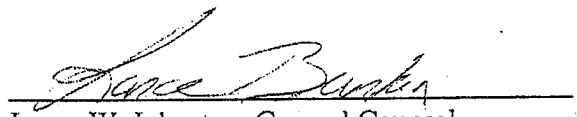
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Fraud,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

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Orders which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Arkansas State Board of Nursing Consent Agreement dated November 13, 2008 and Arkansas State Board of Nursing Order of Voluntary Surrender dated July 13, 2009.

Filed this 15th day of November, 2010.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103
Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Arkansas State Board of Nursing Consent Agreement dated November 13, 2008
Arkansas State Board of Nursing Order of Voluntary Surrender dated July 13, 2009.

0999/D

ARKANSAS STATE BOARD OF NURSING

1123 S. University Avenue, Suite 800, University Tower Building, Little Rock, AR 72204
Phone: (501) 686-2700 Fax: (501) 686-2714 www.arsbn.org

Faith Fields
Executive Director

Fred Knight
General Counsel

Board Members:

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Rogers

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Cassandra Harvey
Brinkley

Roger Huff
Springdale

Sandra Priebe
Mountain Home

Doris Scroggin
Vilonia

Cathleen Shultz
Searcy

August 24, 2009

ATTN: Carla Krampota
Ad-Tech Supervisor
Texas Board of Nursing
333 Guadalupe Suite 3-460
Austin, TX 78701

CERTIFICATION

I, Phyllis DeClerk, Registered Nurse, Director of Nursing Practice, do hereby certify that the attached copy of the Arkansas State Board of Nursing's disciplinary documents, regarding Brandy Lynn Cathcart Taylor, LPN License No. L39221, D.O.B. 12/20/1978, Social Security No. 438-35-1835 is a true and correct copy of the original documents on file in the office of the Arkansas State Board of Nursing.

Phyllis DeClerk, RN

Phyllis DeClerk, RN,
ASBN Assistant Director

Board Seal

ORDER OF
VOLUNTARY SURRENDER

The Voluntary Surrender is hereby entered and shall be presented to the Board at the next formal Board Meeting. **A written request and appropriate documentation must be submitted for consideration of reinstatement.** The appropriate documentation will include a current addictive behavior evaluation from an evaluator who specializes in addiction or an evaluation and a certificate of completion from an inpatient or outpatient treatment center; statement indicating the Respondent's clean and sober date; a letter from sponsor, if applicable, supporting 12-step work involvement; and support group attendance records (AA or NA) indicating a consistent pattern of attendance. A criminal background check may be requested prior to reinstatement. Nurses reinstating a nursing license to active status after the expiration date of the current license shall document completion of continuing education as required by the Board. At time of application for reinstatement, the file will be provided to the General Counsel to consider re-entry into practice through a Consent Agreement. On the backside of this form, please explain the reason for your voluntary surrender. SUBMIT YOUR LICENSE WITH THIS FORM.

IT IS SO ORDERED that the Board hereby accepts the voluntary surrender of LPN License No. L39221, issued to Brandy Lynn Cathcart Taylor. Respondent may apply for reinstatement of said license after a period of one (1) year.

2009 JUL 6 PM 2 16

Brandy Lynn Cathcart Taylor
Respondent Signature Date 6-30-09

ARKANSAS STATE BOARD OF NURSING

By: Faith A. Quick MSN RN
~~Lepaine McHenry, RN, President~~
Executive Director

Dated: July 13, 2009

6-30-09
Rebecca B. Heigle.
exp 4-19-

REBECCA B. HEIGLE
MY COMMISSION EXPIRES April 19, 2015
MILLER COUNTY
NOTARY PUBLIC, STATE OF ARKANSAS

Arkansas State Board of Nursing
1123 S.University Ave. Suite 800
University Tower Building
Little Rock , AR 72204

June 5 th 2009

Regarding LPN # L39221

To whom it may concern,

At this time I would like to surrender my license . I am having trouble at home with my marriage. Due to safety concerns for myself , I feel that this is my best option at this time . Also my father- in law is dying of cancer , and is on hospice , and I need to be there for him. I pray that in a year that my life will be straight so I can once again have the privilege of having my nursing license . If you have any questions or concerns please feel free to contact me.

Brandy Taylor

Brandy Taylor
148 MC 6
Doddridge , AR 71834
870-691-3025

BEFORE THE ARKANSAS STATE BOARD OF NURSING

OCT - 1 PM 1:04

IN THE MATTER OF:

BRANDY LYNN CATHCART TAYLOR LPN LICENSE NO. L39221

CONSENT AGREEMENT

A complaint charging Brandy Lynn Cathcart Taylor (hereinafter referred to as "Respondent") with violations of the Arkansas Nurse Practice Act has been received by the Arkansas State Board of Nursing (hereinafter referred to as "the Board"). In the interest of a prompt and speedy settlement of the above-captioned matter consistent with the public interest, statutory requirements and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law and Order:

I. Findings of Fact

BT 1. The Respondent is the holder of Arkansas LPN License No. L39221.

BT 2. The Respondent admitted on or about July 23, 2008, to using intravenous Demerol from wasted medication while on duty at Christus St, Michael Health, Texarkana, Texas.

BT 3. The Respondent attended a treatment program arranged by Christus St. Michael Health employee assistance program.

OCT - 1 PM 1:04

BT 4. The Respondent is reported as being compliant with the treatment recommendations.

BT 5. The Respondent remains employed at Christus St. Michael Health, Texarkana, Texas, as a monitor technician.

II. Conclusions of Law

BT 1. Pursuant to Ark. Code Ann. §17-87-203 and §17-87-309, the Board has subject matter and personal jurisdiction in this matter.

BT 2. The conduct described in the Findings of Fact constitutes a violation of Ark. Code Ann. §17-87-309(a)(4), (a)(6) and (a)(9).

BT 3. The conduct described in the Findings of Fact constitutes sufficient cause pursuant to Ark. Code Ann. §17-87-309 to suspend, revoke or otherwise discipline a licensee who possesses a nursing license or the privilege to practice nursing in the State of Arkansas.

III. Order

BT 1. The Respondent admits the Board's Findings of Fact and Conclusions of Law.

BT 2. In lieu of a formal hearing on these issues, Respondent agrees to the issuance of the attached Order and waives all rights to a hearing, appeal or judicial review relating to the Order.

BT 3. The Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

BT 4. The Respondent understands that those admissions are conclusive evidence of a

IN THE MATTER OF:

BRANDY LYNN CATHCART TAYLOR

OCT - 1 PM 1:04

LPN LICENSE NO. L39221

prior violation of the Arkansas Nurse Practice Act and may be used for the purposes of determining sanctions in any future disciplinary matter.

BT 5. The Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation is waived.

BT 6. The Respondent understands as a result of entering into this Consent Agreement that the terms of this agreement become public record and shall be reported to the National Council of State Boards of Nursing Disciplinary Data Bank and the Healthcare Integrity and Protection Data Bank.

BT 7. The Respondent understands that this Consent Agreement is effective upon its acceptance by the Board.

I have initialed each numbered and lettered paragraph of the proposed CONSENT AGREEMENT as proof that I have READ IT, UNDERSTAND IT, and do not wish to contact the Arkansas State Board office for further explanation. I accept the proposed CONSENT AGREEMENT as stated.

State of Arkansas)
)ss
County of Miller)

Brandy Lynn Cathcart Taylor 9/29/08
RESPONDENT'S SIGNATURE DATE

Subscribed and Sworn to before me, a Notary Public, on this 29 day of September, 2008.

Rebecca B. Heigl
Notary Public

My Commission Expires:
4-19-15

REBECCA B. HEIGLE
MY COMMISSION EXPIRES
April 19, 2015
MILLER COUNTY
NOTARY PUBLIC, STATE OF ARKANSAS

BEFORE THE ARKANSAS STATE BOARD OF NURSING

IN THE MATTER OF:

BRANDY LYNN CATHCART TAYLOR LPN LICENSE NO. L39221

ORDER

In view of the above Findings of Fact, Conclusions of Law, and the consent of the Respondent, the Board hereby issues the following Order:

BT 1. The Respondent consents to the terms and conditions of the Order and waiver of a public hearing is accepted.

BT 2. The Respondent's license as an LPN is placed on probation for two (2) years. Probation is to commence on the effective date of this Order and is subject to the following conditions:

BT a. Within five (5) days upon receipt of this Order, the Respondent's license must be sent to the Board so that the license can be marked "probation."

BT b. The Respondent must notify each present and future employer in professional nursing of this Order of the Board and the probation conditions on Respondent's license and present to every employer in professional nursing a copy of this Order.

BT c. The Respondent, if employed as a nurse, must practice under an employer-impaired nurse contract. A copy of the employer-impaired nurse contract and a quarterly Performance Evaluation Report must be submitted by the employer to the Board. It is the responsibility and duty of the Respondent to insure that the employer submits these documents in a timely fashion.

BT d. The Respondent must immediately notify the Board in writing of any change, even a temporary one, in name, address, or employer.

BT e. The Respondent may not work outside the State of Arkansas without written permission of the Arkansas State Board of Nursing and the Board of Nursing in the state where the Respondent wishes to work.

BT f. The Respondent shall attend AA/NA, or other Board approved treatment program and must submit quarterly reports to the Board. The Respondent shall provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least the date of each meeting, the name of each group attended, the purpose of the meeting, and the signature or signed initials of the chairperson of each group attended by Respondent. It is ordered that the Respondent shall attend at least three (3) AA/NA or other Board approved support group meetings a week during the period of supervision.

BT g. The Respondent must submit to random urine drug screens. The urine drug screens must meet the criteria established by the Board and be conducted through a Board-approved drug screen monitoring program and laboratory. Contact must be made with a Board-approved drug screen monitoring program within five (5) business days of receipt of this Order. (See Attachment No. 1)

BT h. The Respondent must abstain at all times from the use of controlled or abuse potential substances, including alcohol, except as prescribed by a licensed practitioner from whom medical attention is sought. Respondent shall not consume hemp, poppy seeds, or any product or by-product containing the same. Respondent shall inform all licensed practitioners

who authorize prescriptions of controlled or abuse potential substances of Respondent's dependency on controlled or abuse potential substances, and Respondent shall cause all such licensed practitioners to submit a written report identifying the medication, dosage, and the date the medication was prescribed. The prescribing practitioners shall submit the report directly to the Board within ten (10) days of the date of the prescription. It is the responsibility and duty of the Respondent to insure that the prescribing practitioners submit their written reports in a timely fashion.

BT i. The Respondent is responsible for submitting a personal report to accompany required data to the Board on a quarterly basis.

BT j. The Respondent's responsibility is to insure that all reports are submitted to the Board on a quarterly basis.

BT k. The Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.

BT l. All costs involved in complying with this Order shall be borne by the Respondent.

BT m. Failure to comply with a signed Consent Agreement may result in the suspension of the nurses license to practice nursing in this state.

BT n. Verification of termination of the probationary period may be requested in a registered letter to the Board.

BT 3. In addition to the probation imposed above, the Respondent shall pay a fine of $1,000.00 pursuant to Ark. Code Ann. §17-87-104(b)(1). Such fine will be payable within

IN THE MATTER OF:

BRANDY LYNN CATHCART TAYLOR LPN LICENSE NO. L39221

fifteen (15) days of receipt of this Order or a payment schedule must be submitted within fifteen (15) days to the Arkansas State Board of Nursing.

I have initialed each numbered and lettered paragraph of the proposed CONSENT AGREEMENT as proof that I have READ IT, UNDERSTAND IT, and do not wish to contact the Arkansas State Board office for further explanation. I accept the proposed ORDER as stated.

State of Arkansas)
)ss
County of Miller)

Brandy Lynn Cathcart Taylor 9/29/08
RESPONDENT'S SIGNATURE DATE

Subscribed and Sworn to before me, a Notary Public, on this 29 day of September, 2008.

Rebecca B. Heigle
Notary Public

REBECCA B. HEIGLE
MY COMMISSION EXPIRES
APRIL 15, 2019
213
MILLER COUNTY
NOTARY PUBLIC, STATE OF ARKANSAS

My Commission Expires:

04-15-19

ARKANSAS STATE BOARD OF NURSING

By: Lepaine McHenry
Lepaine McHenry, RN, President

Dated: 11/13/2008