

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 743343
ISSUED TO
WHITNEY GRAY MILDREN

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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: Whitney Gray Mildren
4718 Cole Avenue #1221
Dallas, Texas 75205-5534

During open meeting held in Austin, Texas, on November 9, 2010, 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 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.

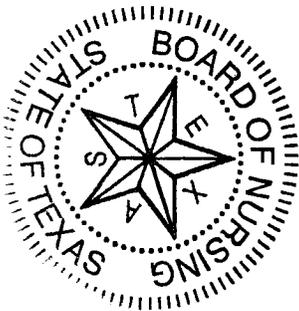
The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. 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 743343, previously issued to WHITNEY GRAY MILDREN, to practice professional 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 nursing in the State of Texas.

Entered this 9th day of November, 2010.



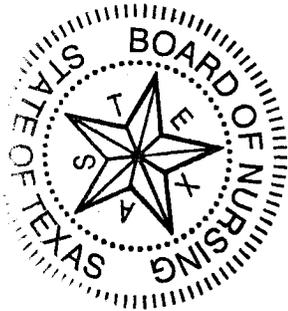
TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

CERTIFICATE OF SERVICE

I hereby certify that on the 2th day of November, 2010, 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):

Whitney Gray Mildren
4718 Cole Avenue #1221
Dallas, Texas 75205-5534



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 743343, Issued to §
WHITNEY GRAY MILDREN, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, WHITNEY GRAY MILDREN, is a Registered Nurse holding license number 743343, 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 April 1, 2008, through April 4, 2008, while employed with Baylor University Medical Center, Dallas, Texas, Respondent failed to take precautions to prevent the possible exposure of patients and staff to Tuberculosis after she notified her Manager that she was beginning treatment for suspected Tuberculosis. Respondent failed to provide copies of medical evaluations to the Employee Health Services Clinic, as requested, regarding her possible Tuberculosis infection. Respondent's conduct unnecessarily exposed patients and staff to Tuberculosis.

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)(O) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4).

CHARGE II.

On or about May 14, 2008, while employed with Texas Institute for Surgery at Presbyterian Hospital of Dallas, Dallas, Texas, Respondent withdrew three (3) tablets of Alprazolam from the Pxyis Medication Dispensary System for Patient Number 533837, who had been discharged from the facility the day before, without a current physician's order and failed to document administration and/or wastage of the Alprazolam in the medical record, as required. Respondent's conduct violated 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)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(11)(B).

CHARGE III.

On or about May 15, 2008, through May 30, 2008, while employed with Texas Institute for Surgery at Presbyterian Hospital of Dallas, Dallas, Texas, Respondent withdrew controlled substances for patients from the Pyxis Medication Dispensary System and failed to document administration of the controlled substances in the patients' medical records, as follows:

Date	Time	Patient	Medication	Physician's Order	Documented on Medication Administration Record
5/15/08	1424	533996	Alprazolam (Xanax) 0.25mg 4 tablets	None	No
5/15/08	1425	533996	Oxycodone/APAP (Percocet) 2 tablets	None	No
5/21/08	1630	534049	Vicoprofen 7.5 mg 2 tablets	Yes	No
5/30/08	1441	533977	Hydrocodone/APAP 10mg (Norco) 3 tabs	None	No

Respondent's conduct resulted in inaccurate medical records, violated Chapter 481 Texas Health and Safety Code (Controlled Substances Act), and was likely to injure patients in that subsequent care givers would not have accurate information upon which to base their care decisions. Additionally, Respondent's conduct was likely to defraud the facility and patients of the cost of medication.

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)(C)&(1)(D) and 22 TEX. ADMIN. CODE § 217.12(1)(A),(1)(B),(4),(10)(B)&(11)(B).

CHARGE IV.

On or about May 21, 2008, while employed with Texas Institute for Surgery at Presbyterian Hospital of Dallas, Dallas, Texas, Respondent withdrew four (4) tablets of Norco 10 mg from the Pxyis Medication Dispensary System for Patient Number 534049, who had already been discharged from the facility, without a current physician's order and failed to document administration and/or wastage of the Norco in the medical record, as required. Respondent's conduct violated 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)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE § 217.11(1)(A),(1)(B)&(1)(C) and 22 TEX. ADMIN. CODE § 217.12(1)(A),(1)(B),(4)&(11)(B).

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.

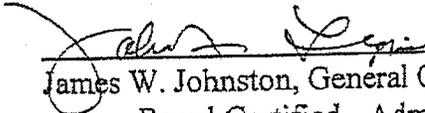
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent 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 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, and for Lying and Falsification, and for Fraud, Theft, and 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.

Filed this 8th day of September, 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