

5. On or about February 4, 2010, while employed with Seton Family of Hospitals, Austin, Texas, Respondent admitted to both using and diverting controlled substances from the Omnicell medication dispensing system. Consequently, Respondent was referred to the Texas Peer Assistance Program (TPAPN) and underwent inpatient treatment at La Hacienda.
6. On May 7, 2010, Respondent appeared at the board office unscheduled. After being informed that the Board would enter an order accepting her surrender using information from the Seton Medical Center and TPAPN referral, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of Respondent's notarized statement, dated May 7, 2010, is attached and incorporated herein by reference as part of this Order.
7. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
8. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 violations of Section 301.452(b)(9) & (10), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.12(1)(A) & (B), (4), (5), (6)(G), (8),(10)(A) & (D).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 657534, heretofore issued to MICHELLE MORRIS ALBRECHT, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation RN or wear any insignia identifying as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and 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.

Effective this 10th day of May, 2010.

TEXAS BOARD OF NURSING

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

Michelle Morris Albrecht
8001 Highway 71W.
Apt. 105-B
Austin, TX 78735
Texas RN License #: 657534

Voluntary Surrender Statement

May 7, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Michelle Albrecht

Date May 7, 2010

Texas Nursing License Number/s 114074077x

The State of Texas

Before me, the undersigned authority, on this date personally appeared MICHELLE MORRIS ALBRECHT who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 7th day of May, 2010.

SEAL



Noemi Rey
Notary Public in and for the State of Texas