

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse	§	AGREED
License Number 595228	§	
issued to BRIDGET YVETTE HUGHES	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of BRIDGET YVETTE HUGHES, Registered Nurse License Number 595228, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on January 10, 2007, by Katherine A. Thomas, MN, RN, Executive Director.

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 Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Stephen F. Austin State University, Nacogdoches, Texas, in May 1993, and received a Master's Degree in Nursing from The University of Texas at Galveston, Galveston, Texas, in December 1998. Respondent was licensed to practice professional nursing in the State of Texas on September 22, 1993, became Board recognized as a Family Nurse Practitioner in the State of Texas on February 1, 1999, and received Prescriptive Authority on January 26, 1999.

5. Respondent's nursing employment history includes:

09/93-03/98	Unknown	
04/98-12/98	Staff RN - ER	Memorial Hospital of Center Center, Texas
01/99	Graduate Family Nurse Practitioner	Stephen C. Sayers, MD Center, Texas
02/99-06/04	Family Nurse Practitioner	Stephen C. Sayers, MD Center, Texas.
07/04-09/05	Family Nurse Practitioner	Craig Marlin McMullin, MD Family Practice Center Center, Texas
10/05- Present	Family Nurse Practitioner	Keith Edward Miller, MD Center, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Family Nurse Practitioner with Craig Marlin McMullin, MD, Family Practice Center, Center, Texas. and had been in this position for five (5) months.
7. On or about December 2004 through September 2005, while employed as a Family Nurse Practitioner with Craig Marlin McMullin, MD, Family Practice Center, Center, Texas, Respondent forged the name and signature of her supervising physician to more than fifty (50) triplicate prescriptions for Schedule II Controlled Substances, and to other prescriptions for narcotics and muscle relaxants, in order to obtain controlled substances and dangerous medications for her own intemperate use. Respondent's conduct was deceptive and constituted violations of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). Further, the intemperate use of controlled substances and dangerous drugs by a nurse could impair the nurse's ability to recognize subtle signs, symptoms or changes in a client's condition, and could jeopardize the ability to make rational, accurate, and appropriate assessments, judgments and decisions regarding client care, thereby placing clients at high risk of potential danger.
8. On or about December 11, 2006, while employed as a Family Nurse Practitioner with Keith Edward Miller, MD, Center, Texas, Respondent admitted that she was suffering from an addiction to Hydrocodone, and stated that since December 2003 she had been calling in fraudulent prescriptions, under the name of her husband and other patients, for purposes of obtaining drugs for her own intemperate use. Respondent's conduct was deceptive and the possession of Hydrocodone without a valid prescription is prohibited by Chapter 481 of the

Texas Health and Safety Code (Controlled Substances Act). Further, the use of Hydrocodone by a nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in patients' conditions, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing patients in potential danger.

9. On or about December 20, 2006, Respondent voluntarily surrendered her Drug Enforcement Agency (DEA) controlled substance registration.
10. Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
11. 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.
12. Respondent's conduct described in Findings of Fact Numbers Seven (7), Eight (8), and Nine (9) resulted from Respondent's dependency on chemicals.
13. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her prescriptive authority in the State of Texas.
14. 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 of prescriptive authority after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
15. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §§ 217.11(1)(A)&(4)(B)[*effect. 9/28/04*], 217.12(1),(21)&(22), 217.12(6)(A),(6)(H),(8),(10)(A),(10)(B),(10)(E)&(11)(B) [*effect. 9/28/04*], 222.4(a)(1) and 222.6(c).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 595228, heretofore issued to BRIDGET YVETTE HUGHES, including revocation of Respondent's license to practice professional nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of prescriptive authority.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of prescriptive authority.
7. Any subsequent reinstatement of prescriptive authority associated with this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-29, and any amendments thereof in effect at the time of the reinstatement.
8. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Prescriptive Authority associated with Registered Nurse License Number 595228, heretofore issued to BRIDGET YVETTE HUGHES, to prescribe medications in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

- (1) RESPONDENT SHALL deliver the wallet-sized license issued to BRIDGET YVETTE HUGHES, to the office of the Board of Nurse Examiners within ten (10) days from the date of ratification of this Order for appropriate notation.
- (2) RESPONDENT SHALL NOT prescribe medications, practice advanced practice professional nursing with prescriptive authority, use or wear any title or insignia identifying herself as an advanced practice registered nurse with prescriptive authority or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is an advanced practice registered nurse with prescriptive authority during the period in which prescriptive authority is surrendered.

- (3) RESPONDENT SHALL NOT petition for reinstatement of prescriptive authority 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 prescriptive authority recognition.

IT IS FURTHER AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(5) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

(6) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(7) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(8) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED, SHOULD RESPONDENT be convicted or receive an order of deferred adjudication for any offense as outlined in Findings of Fact Numbers Seven (7) through Nine (9), said judicial action will result in further disciplinary action including Revocation of Respondent's license to practice professional nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

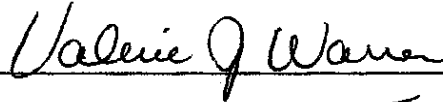
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions Five (5) through Eight (8) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Board of Nurse Examiners, and a copy will be mailed to me. 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 revocation of my license to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 16 day of April, 2007.

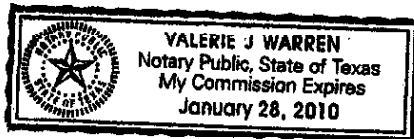

BRIDGET YVETTE HUGHES, Respondent

Sworn to and subscribed before me this 16 day of April, 2007.

SEAL




Notary Public in and for the State of Texas



WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that was signed on the 16th day of April, 2007, by BRIDGET YVETTE HUGHES, Registered Nurse License Number 595228, and said Order is final.

Entered and effective this 19th day of April, 2007.


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