July 29, 20xx

Ms **Via Fax:**

Enforcement Department

Texas Board of Nursing

333 Guadalupe Street, Ste 3-460 Austin, TX 78701

Re: Betsy X, RN

Dear Ms. T:

Please let this letter serve as an initial response to the letter received by Ms. Betsy X from the Texas Board of Nursing dated March 11, 20xx. As you and I had discussed in March, shortly after her receipt of the letter, Ms. X has been and continues to be involved as the complainant in a criminal case against her former neighbor for aggravated assault with a deadly weapon. We have attached a letter from Mike Z, an attorney that Ms. X had retained at the outset of the criminal action due to her fears of appearing in court in the presence of the neighbor.

Both Ms. X and Mr. Z are fairly certain that either the neighbor or one of his attorneys or agents filed the allegations against her with the BON as retaliation and as a way of intimidation to force her to drop the case or refuse to testify.

The allegations in that March letter from the BON, the first, that while employed with Dr. TN, Betsy called in prescriptions without authority, is absolutely untrue. Betsy did call in prescriptions for another friend on one occasion, but Dr AN gave her the order for those prescriptions, his affidavit is attached.

When she called in the prescriptions, apparently they were noted as being ordered by Dr TN who had been her former employer, instead of Dr. AN, who had ordered the medication. How Dr. TN’s name came to be on the prescription, Betsy does not know.

Betsy had called in prescriptions to that pharmacy for 11 years during the time she worked with Dr. TN, during those years, she introduced herself as "Betsy from Dr. TN's office" . Perhaps Drug Store Inc had records of her calling in prescriptions from Dr TN in the past and the computer pulled it up incorrectly, but the prescriptions were ordered by Dr AN. When Betsy was made aware that Dr. TN’s name was on the prescriptions, she immediately called the pharmacy to correct that error. The prescriptions were then listed correctly as being ordered by Dr. AN. The pharmacy did not request or require any further action.

The bottom line is that Betsy X called in prescriptions for a friend that were ordered by Dr. AN, she had an order for those medications and his affidavit to that effect is attached here.

 The second allegation, that from March 20xx to the present Betsy had been exceeding her scope of practice by administering Botox without adequate physician oversight is also is untrue. We believe that the neighbor or one of his agents made this complaint because Betsy had told him about her work.

 Betsy X has been a Registered Nurse since1995 and a Certified Plastic Surgical Nurse since 2001. She has worked in the Houston Main Hospital at the Center for Reconstructive and Plastic Surgery, University of Houston Division of Plastic Surgery. For seven years she administered over 90% of Dr. TN’s injections. She has been a Speaker, Consultant and Trainer with various Speakers’ Bureaus. She is well known and very well respected in the field of reconstructive & plastic surgery and cosmetic non surgical interventions.We have attached here Betsy’s CV along with supporting documentation of her experience, training, and expertise in this field. We have also included several letters from colleagues and others who all comment about Betsy’s professionalism and her strong attitude of integrity and willingness to assist others.

 Currently she owns her practice and works under the supervision of and collaboration with Dr. AN, whose Affidavit concerning both of these allegations is attached. At all times during her practice Betsy has followed supervisory rules and procedures with strict adherence to the rules as they exist in Texas. We have attached several documents that support the statements that we believe will be helpful in your review of these allegations.

 We would like to make the Board aware that in light of Betsy's desire to practice with the utmost safety to her patients, she has recently entered into a verbal agreement pending the completion of a formal contract with a Board Certified Plastic Surgeon. The Plastic Surgeon is within 100 feet of her current office space and upon completion of those documents, he will serve as her Medical Director, supervising and delegation physician, and emergency medical back-up.

 We hope that after your review of this response and attachments, you will see that the circumstances surrounding these allegations stem from a physical assault by an assailant whose goal is to discredit his victim and discredit her testimony in the upcoming felony criminal jury trial in October, to coerce her cooperation for reduced charges using intimidation tactics, and lastly, to punish her and malign her professional reputation for reporting his very serious threats and acts of domestic violence towards his family and Betsy.

Ms. X takes this complaint very seriously, she has been understandably upset by having her reputation maligned with these types of complaints, especially given the great care she has taken to maintain her education, and to follow the rules that govern her career. As is her practice, she always takes responsibility for her clinical practice, respecting the Texas Nursing Practice Act and Texas law.

 I have discussed with Betsy the role of the Texas Board of Nursing in protecting the citizens of Texas from bad or unsafe practice. She understands that despite the malicious genesis of these complaints, that the Board is obligated to investigate to substantiate that no violation has occurred.

 We appreciate your endeavors to protect Texans from unsafe nursing practice, and we know that that is a serious responsibility, and we thank you for listening and trying to understand the factual basis of this case and the reasons that the allegations came to be filed in the first place.

 We ask that this case be dismissed, as there is no evidence that Betsy ever called in any prescription without a physician order to do so. Likewise, as is evidenced by the attached documents, Betsy has complied with all rules and procedures for conducting her practice as a nurse injector working under the supervision of and with delegation from Dr. AN.

 Please call me at , e-mail to , or fax my office to confirm you have received this letter.

 Very truly yours,

Cc Ms. Betsy X RN via e-mail w/o attachments

ATTACHMENTS

Response to Texas BON submitted by Betsy X RN

July 29, 20xx

1. Resume and Plastic Surgery Nurse Certification of Betsy X
2. Affidavit Dr. AN
3. Letter from Attorney Mike Z
4. Agreement for Authorizing Nurse Injector
5. Standing Orders and Procedures for Botox and Dermal Fillers
6. Standing Orders for Dermal Fillers
7. Evaluations Houston Hospital
8. Job Description Nurse Injector, certified Plastic Surgical Nurse
9. CNE Certificates
10. Character Letters