

BEFORE THE TENNESSEE BOARD OF NURSING

In The Matter of:)	
)	
JAMEY D. HAGAN)	
R.N. License No. 137777)	Case Nos. 200900592
1324 Standing Stone Circle)	201000105
Columbia, Tennessee 38401)	
Respondent)	

CONSENT ORDER

The State of Tennessee, by and through the Office of General Counsel and the Respondent, Jamey D. Hagan, R.N., hereby stipulate and agree, subject to approval by the Tennessee Board of Nursing (Board), to the following:

I. Authority and Jurisdiction

The Board regulates and supervises nurses licensed to practice pursuant to the Tennessee Nursing Practice Act (Practice Act), Tennessee Code Annotated Section (TENN. CODE ANN. §) 63-7-101, *et seq.*, including the discipline of licensees, as well as those who are required to be licensed, who violate the Practice Act and the Rules promulgated by the Board, Official Compilation of Rules and Regulations of the State of Tennessee (TENN. COMP. R. & REGS.), 1000-1-.01, *et seq.* The Board enforces the Practice Act to promote and protect the health, safety and welfare of the public; accordingly, it is the policy of the Board to require strict compliance with the law and to apply the law to preserve the quality of nursing care provided in Tennessee.

II. Stipulations of Fact

1. At all times pertinent hereto, the Respondent was licensed as a Registered Nurse by the State of Tennessee Board of Nursing, having been issued license number 137777 on October 22, 2002, with a July 31, 2010 expiration date. Respondent's license is **VALID** in TN. only

2. On or about March 25, 2009, the Tennessee Board of Nursing ratified a Consent Order which in part placed Respondent's nurse's license on probation for a period of no less than one (1) year to run concurrent with Respondent's TnPAP monitoring agreement and stipulates that Respondent shall comply with each and every term of the monitoring agreement. TnPAP's recommendations included:
 - (a) Residential treatment program for impaired health professionals; and
 - (b) TnPAP monitoring.
3. On or about April 13, 2009, Respondent relapsed and was admitted to treatment. Treatment recommendations were thirty (30) days inpatient and sixty (60) days extended care.
4. On or about August 28, 2009, Respondent left treatment against medical advice.
5. On or about September 2, 2009, Respondent acknowledged that he did leave treatment against medical advice. He stated that he is not going to return to the practice of nursing and is terminating his TnPAP monitoring agreement.

III. Stipulated Grounds for Discipline

1. The Stipulations of Fact are sufficient to establish that Respondent has violated the following statutes or rules which are part of the Act, TENN. CODE ANN. § 63-7-101, *et seq.* and TENN. COMP. R. & REGS., 1000-1-.01, *et seq.*, for which disciplinary action by the Board is authorized.
2. The facts stipulated in paragraphs two (2) through five constitute a violation of TENN. CODE ANN. § 63-7-115(a)(1):
 - (F) Is guilty of unprofessional conduct; and,

- (G) Has violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto.

IV. Stipulated Disposition

1. For the purpose of avoiding further administrative action with respect to this cause, Respondent agrees to have his license to practice nursing in the State of Tennessee **REVOKED.**

V. Representations of Respondent

1. Respondent understands and admits the allegations, charges, and stipulations in this Order.
2. Respondent understands the rights found in the Practice Act and the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-101 thru 4-5-404, including the ~~right to a hearing on the Notice of Charges to contest the charges and allegations, the~~ right to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as to the issuance of subpoenas to compel the attendance of witnesses and the production of documents, as well as the right to appeal for judicial review. Respondent voluntarily waives these rights in order to avoid further administrative action.
3. Respondent agrees that presentation of this Order to the Board and the Board's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members become prejudiced requiring their disqualification from hearing this matter should this Order not be ratified. All matters,

admissions, and statements disclosed during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

4. Respondent also agrees that the Board may issue this Order without further process. If the Board rejects this Order for any reason, it will be of no force or effect for either party.

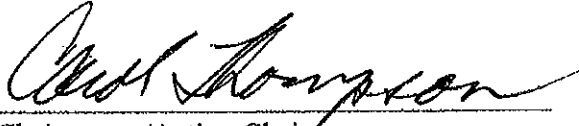
VI. Notice

1. This **REVOCATION** is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank (HIPD).

VII. Approval by the Board

1. Upon the agreement of the parties and the record as a whole, this **CONSENT ORDER** was approved as a **FINAL ORDER** by a majority of a quorum of the Tennessee Board of Nursing at a public meeting of the Board and signed this 2nd day of June, 2010.

ACCORDINGLY, IT IS ORDERED that the agreements of the parties will, and hereby do, become the Final Order of the Board.



Chairperson/Acting Chairperson
Tennessee Board of Nursing

APPROVED FOR ENTRY:

Jamey D. Hagan
Jamey D. Hagan
R. N. License No. 137777
Respondent

4-19-2010
DATE


S. Alexa Whittemore Spear
S. Alexa Whittemore (BPR No. 021279)
Assistant General Counsel
Tennessee Department of Health
Office of General Counsel
220 Athens Way, Suite 210
Nashville, Tennessee 37243

6/7/10
Date

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served upon the Respondent Jamey D. Hagan, 1324 Standing Stone Circle Columbia, Tennessee 38401 by placing same in United States First Class Mail with sufficient postage thereon to reach its destination.

This 7 day of June, 2010.


S. Alexa Whittemore
Assistant General Counsel