

**STATE OF TENNESSEE
DEPARTMENT OF HEALTH**

IN THE MATTER OF:)	BEFORE THE TENNESSEE BOARD
)	OF NURSING
PENNY WILLIAMS-CORDEIRO,)	
RN, APRN)	
RESPONDENT)	
)	CASE NO. 201705335
LIMESTONE, TENNESSEE)	
RN LICENSE NO. 136751)	
APN CERTIFICATE NO. 18066)	

CONSENT ORDER

Comes now the Division of Health Related Boards of the Tennessee Department of Health (hereinafter the "Division"), by and through the Office of General Counsel, and Respondent, Penny Williams-Cordeiro, RN, APRN, (hereinafter "Respondent"), who would respectfully move the Tennessee Board of Nursing (hereinafter the "Board") for approval of this Consent Order affecting Respondent's nursing license in the State of Tennessee.

The Board is responsible for the regulation and supervision of nurses licensed to practice in the State of Tennessee. *See Tennessee Nursing Practice Act, Tennessee Code Annotated Section (hereinafter "TENN. CODE ANN.") § 63-7-101, et seq.* It is the policy of the Board to require strict compliance with the laws of this State, and to apply the laws so as to preserve the quality of nursing care provided in Tennessee. It is the duty and responsibility of the Board to enforce the Tennessee Nursing Practice Act in such a manner as to promote and protect public health, safety, and welfare in every practicable way, including disciplining nurses who violate the provisions of TENN. CODE ANN. § 63-7-101, *et seq.* or the Rules and Regulations

promulgated by the Board and recorded in the Official Compilation Rules and Regulations of the State of Tennessee (hereinafter "TENN. COMP. R. & REGS.").

Respondent, Penny Williams-Cordeiro RN, APRN, by her signature to this Consent Order, waives the right to a contested case hearing and any and all rights to judicial review in this matter. Respondent agrees that presentation to and consideration of this Consent Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members shall be prejudiced to the extent that requires their disqualification from hearing this matter should this Order not be ratified. Likewise, all matters, admissions, and statements disclosed or exchanged during the attempted ratification process shall not be used against Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this Consent Order. Respondent understands that by signing this Consent Order, Respondent is allowing the Board to issue its order without further process. Respondent acknowledges that this is a formal disciplinary action and will be reported to the National Practitioner Data Bank and/or a similar agency. In the event that the Board rejects this Consent Order for any reason, it will be of no force or effect for either party.

I. STIPULATIONS OF FACT

1. Respondent was at all times pertinent hereto licensed by the Board as a registered nurse, having been granted registered nursing license number 136751 on June 10, 2002, and as an advanced practice nurse, having been granted advanced practice registered nurse

certificate number 18066 on August 8, 2014, both these licenses having expired on June 30, 2019.

2. Respondent was employed as an Advanced Practice Registered Nurse and worked at Williams Primary Care in Kingsport, Tennessee. Dr. Michael Wysor, Dr. Vijay Singh, and Dr. Andrew Brown were Respondent's collaborating physicians.
3. The Department conducted an investigation of Williams Primary Care and reviewed records created and maintained by Respondent on patients seen at the facility.
4. The records Respondent furnished to the Department were in part incomplete, lacking multiple visits for certain time periods.
5. While working for Williams Primary Care, Respondent prescribed narcotics and other controlled substances. Respondent prescribed narcotics and other medications and controlled substances in amounts and/or for durations not medically necessary, advisable, or justified for a diagnosed condition.
6. Respondent prescribed combinations of controlled substances for your patients without a clear objective finding of a chronic pain source to justify the ongoing and increasing prescribing.
7. Respondent rarely ordered any imaging or made other efforts to identify the etiology of the pain, but rather treated patients' complaints, sometimes with no more specifics than "back pain" or "chronic pain".
8. Respondent prescribed controlled substances and other medication without taking a history or inquiring into potential substance abuse history.
9. Respondent prescribed controlled substances without performing a physical or making a diagnosis.

10. Respondent failed to make appropriate, individualized diagnoses and/or failed to document adequate support for diagnoses sufficient to justify the treatment rendered and failed to integrate consultations, previous hospitalizations and other medical information into the treatment plan.
11. Respondent infrequently made use of pain contracts with her patients, and these contracts were often signed only after years of prescribing, and Respondent frequently failed to hold patients accountable for violations of these contracts.
12. Respondent failed to make appropriate adjustments in her prescribing practices for the purpose of decreasing her patients' addiction habits and failed to warn patients about the risks of the drugs being prescribed to them or about the risks of taking the combinations of controlled substances which she prescribed them.
13. Respondent failed to perform pill counts and counsel or reprimand patients who were receiving narcotics from other providers as well as from your clinic.
14. Respondent failed to obtain her supervising physician's review and signature on patient medical records documenting the prescribing of controlled substances.
15. Respondent failed to properly or consistently monitor for or seek out and respond to signs of substance abuse on the part of her patients and failed drug screens were frequently ignored;

II. GROUNDS FOR DISCIPLINE

The facts stipulated to in the Stipulations of Fact are sufficient to establish that grounds for discipline of Respondent's nursing licenses exist. Specifically, Respondent has violated the

following statutes or rules which are part of the Tennessee Nursing Practice Act, (TENN. CODE ANN. § 63-7-101, *et seq.*) for which disciplinary action before and by the Board is authorized:

16. The facts stipulated in paragraphs 4 through 15, *supra*, constitute a violation of TENN. CODE ANN. § 63-7-115(a)(1)(F):

Unprofessional Conduct;

17. The facts stipulated in paragraphs 4 through 15, *supra*, constitute a violation of TENN. CODE ANN. § 63-7-115(a)(1)(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.

18. The facts stipulated in paragraphs 5 through 15, *supra*, constitute a violation of Rule 1000- 01-.13(1)(t) of the TENN. COMP. R. & REGS.:

Over-prescribing, or prescribing in a manner inconsistent with Rules 1000-04-.08 and 1000-04-.09.

19. The facts stipulated in paragraphs 5 through 15, *supra*, constitute a violation of Rule 1000- 01-.13(1)(u) of the TENN. COMP. R. & REGS.:

Practicing professional nursing in a manner inconsistent with T.C.A. §63-7-103.

20. The facts stipulated in paragraphs 4 through 14, *supra*, constitute a violation of TENN. COMP. R. & REG. RULE 1000-04-.08(4)(c)(1):

The record shall include a documented medical history and physical examination by the Advanced Practice Nurse who possesses a certificate of fitness and a DEA certificate and is providing the medication. Historical data shall include pain history, any pertinent evaluations by another provider, history of and potential for substance abuse, pertinent coexisting diseases and conditions, psychological functions, and the presence of a recognized medical indication for the use of a controlled substance.

21. The facts stipulated in paragraph 14, *supra*, constitute a violation of TENN. COMP. R. & REG. RULE 1000-04-.08(4)(c)(3):

The Advanced Practice Nurse who possesses a certificate of fitness and a DEA certificate shall discuss the risks and benefits of the use of controlled substances with the patient or guardian.

22. The facts stipulated in paragraph 14, *supra*, constitute a violation of Rule 0880-06-0.2(7)(e) of the TENN. COMP. R. & REGS.: which requires that all medical records created where an advanced registered nurse practitioner prescribes a controlled substance be reviewed and signed by that nurse practitioner's supervising physician.

III. POLICY STATEMENT

The Tennessee Board of Nursing takes this action in order to protect the health, safety, and welfare of people living, working, and traveling in the State of Tennessee, and because the duties and responsibilities of a nurse practitioner who is providing care through treatment with legend drugs and controlled substances, to possess the requisite training and competence in the area of pharmacology, physiology, and pathophysiology to provide his or her patients with quality treatment, are not only a requirement of the law but of vital importance.

IV. ORDER

NOW THEREFORE, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:


23. The Tennessee Advanced Practice Registered Nursing License of Respondent, Penny Williams-Cordeiro, RN, APRN, advanced practice registered nurse certificate number 18066, Respondent's registered nursing license number 136751, and Respondent's certificate of fitness to practice, are hereby recognized as **RETIRED**. Respondent understands that this voluntary retirement has the same effect as a Revocation.
24. Should Respondent ever apply for and be granted a new license to practice as a nurse, or any other medical profession in the State of Tennessee, Respondent shall be barred from prescribing controlled substances or working in a pain management clinic.
25. Respondent is assessed and must pay, pursuant to Rule 1000-01-.04(6) of the Official Compilation Rules and Regulations of the State of Tennessee, one (1) Type "A" Civil Penalties in the amount of **five hundred dollars (\$500.00)**.
26. Respondent must pay, pursuant to TENN. CODE ANN. §§ 63-7-115(d) and 63-1-144, and TENN. COMP. R. & REGS. 1000-1-.04(11), the actual and reasonable costs of prosecuting this case to the extent allowed by law including all costs assessed against the Board by the Division's Bureau of Investigations in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the Department. Said costs shall not exceed **five thousand dollars (\$5,000.00)**.
27. Respondent understands that this is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B.) and/or similar agency.

IV. NOTICE

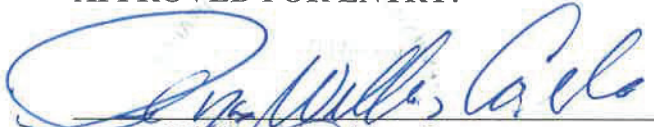
28. Any and all civil penalties and costs shall be paid in full within ninety (90) days from the issuance of the Assessment of Costs. Payment shall be made by **certified check**,

cashier's check, or money order, payable to the **State of Tennessee**, Department of Health. Any and all payments shall be forwarded to the **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 665 Mainstream Drive, Nashville, Tennessee 37243**. A notation shall be placed on said money order or such check that it is payable for the Civil Penalty and Costs of Penny Williams-Cordeiro, RN, APN, Case No. 201705335.

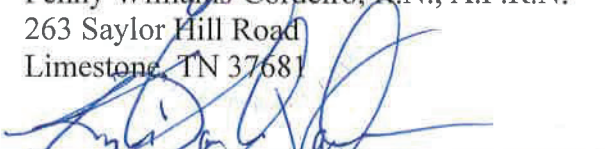
This **CONSENT ORDER** was approved by a majority of a quorum of the Tennessee Board of Nursing at a public meeting of the Board and signed this 20th day of November, 2019.


Chairperson
Tennessee Board of Nursing


APPROVED FOR ENTRY:


Penny Williams-Cordeiro, R.N., A.P.R.N.
263 Saylor Hill Road
Limestone, TN 37681

8/30/2019
DATE


Kyle Douglass Vaughan, (B.P.R. # 032416)
Counsel for Respondent
Page & Vaughan, PLLC
245 E. New St., Suite 203
Kingsport, TN 37660

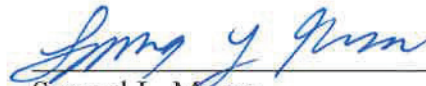
8/30/2019
DATE


Samuel L. Moore (B.P.R. # 031342)
Assistant General Counsel
Office of General Counsel
Tennessee Department of Health
665 Mainstream Drive, 2nd Floor
Nashville, Tennessee 37243
(615) 253-5895

11-20-2019
DATE

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served upon the Respondent, Penny Williams-Cordeiro R.N., A.P.R.N. at 263 Saylor Hill Road, Limestone, TN 37681, by placing same in the United States Certified Mail No. 7018 30900002 01509649 return receipt requested, and United States First Class Mail with sufficient postage thereon to reach its destination on this 21st day of November, 2019.



Samuel L. Moore
Assistant General Counsel
Tennessee Department of Health