



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*Patricia P. Plummer*  
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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543517

In the Matter of Applicant  
For Licensure  
TAB B. BROWN

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§  
§

ORDER OF THE BOARD

TO: Tab B. Brown  
2400 Hackett #167  
Houston, Texas 77008

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting held on the 27th day of January, 1988, considered the conduct of TAB B. BROWN, Applicant for Licensure.

At the meeting, Mrs. Pauline Barnes, R.N., President of the Board, presided and the following members were present:

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|---------------------------------|------------------------------|
| Mrs. Karen G. Barnes, R.N.      | Dr. Teddy L. Langford, R.N.  |
| Dr. Lynn C. Besselman           | Dr. Eileen Piwetz, R.N.      |
| Mrs. Mary Elizabeth Jackson     | Mrs. A. Joanna Seamans, R.N. |
| Mrs. Mary Virginia Jacobs, R.N. |                              |

Following receipt of information, TAB B. BROWN agreed to a Consent to Board Order from the Board of Nurse Examiners. Respondent was not present at the Board of Nurse Examiners scheduled hearing but did appear at a hearing before the Executive Secretary. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. TAB B. BROWN, hereinafter referred to as "Respondent", requests a license by endorsement to practice professional nursing in the State of Texas.

2. On or about July 21, 1986, Respondent's license to practice as a Licensed Vocational Nurse was revoked by the Board of Vocational Nurse Examiners for the State of Texas, Austin, Texas. Respondent had voluntarily surrendered his license to said Board due to problems with alcohol, marijuana and demerol.
3. On or about July 21, 1987, Respondent's license was reinstated by the Board of Vocational Nurse Examiners for the State of Texas. Upon said reinstatement, Respondent's license was suspended, suspension was stayed and placed on probation for a period of one (1) year. Respondent is in compliance with the Order of the Board issued by the Board of Vocational Nurse Examiners for the State of Texas.
4. On or about November 12, 1987, Respondent was issued a license to practice professional nursing by the New Mexico Board of Nursing, Albuquerque, New Mexico. Respondent's license was suspended for a period of three (3) years, suspension was stayed and placed on probation. Respondent is in compliance with said Order.
5. Respondent continues in individual therapy for substance abuse and attends AA regularly.
6. Respondent is currently employed as a Licensed Vocational Nurse with Hermann Hospital, Houston, Texas, under a Return to Work Contract.
7. Respondent desires to continue his career in professional nursing.

#### CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter.
2. Based upon the information received, Respondent is in violation of Article 4525 (a) (7) and (8), Revised Civil Statutes of Texas, as amended.

#### ORDER

IN VIEW OF THE FINDINGS OF FACT, it is hereby ordered that TAB B. BROWN be issued a license to practice professional nursing in Texas upon payment of the required fees. Said license shall be subject to the following stipulations for a minimum period of three (3) years or until dismissed from the probation by the New Mexico Board of Nursing.

(1) Respondent shall notify each employer/potential employer in professional nursing of this Order of the Board and the stipulations on his/her license by presenting a copy of this order to each potential employer. When employment is obtained, Respondent must cause the employer to submit the notification of employment form to the Board office.

(2) That during his employment as a professional nurse, each employer of TAB B. BROWN submit on forms provided by the Board of Nurse Examiners, periodic reports as to his capability to practice professional nursing, such reports are due at the office of the Board of Nurse Examiners at the end of each three months of employment for a minimum period of three (3) years from the date of this Order. If the place of employment changes, the Board of Nurse Examiners is to be notified immediately.

(3) The terms of this Order can be served only while Respondent is employed in the capacity of a registered nurse in a hospital, nursing home, or like employment, where the nurse is supervised. The nurse may not be employed by a nurse registry, temporary nurse employment agency or home health agency.

(4) Respondent shall completely abstain from the consumption or injection of controlled substances, except as prescribed by a duly licensed practitioner for a legitimate purpose. Respondent shall have sent to the Board of Nurse Examiners, in writing and within ten (10) days, by the prescribing physician or dentist, a report identifying the medication and dosage. Respondent shall submit to random periodic screens for controlled substances and alcohol at least once every month for a minimum period of three (3) months. If all the aforementioned screens test negative for controlled substances and

alcohol, then the screens shall be required at least once every three (3) months for the duration of the stipulation period. All screens shall be properly monitored and administered by Respondent's employer and personally observed by this individual or a trusted member of his/her staff. Respondent shall have written reports from the employer sent to the Board of Nurse Examiners concerning the results of the random periodic screens. If any sample tests positive for alcohol, narcotic, controlled substance or habit forming substance which Respondent has used without a prescription from a physician or dentist, they shall report the findings to the Board of Nurse Examiners immediately. Expenses encumbered by the screens shall be borne by Respondent.

(5) The Board of Nurse Examiners shall review reports regarding the practice of professional nursing by Respondent at the end of the stipulation period. It is understood that after the review, the Board may restore all rights and privileges incident to the license of Respondent, but may also extend or modify the stipulation terms, if extension or modification is warranted by evidence presented to the Board.

(6) Respondent shall participate in therapy and written reports as to his progress in therapy, rehabilitation and capability to practice professional nursing shall be submitted to the Board of Nurse Examiners, on forms provided by the Board, from his professional counselor, such reports are to be furnished each and every month for a minimum period of three (3) months. If all of the aforementioned reports are acceptable, then the reports shall be required at the end of each three (3) months for the duration of the probation period, or until dismissed from therapy.

(7) Respondent shall provide evidence of attendance of at least two (2) support group meetings per week. The weekly meetings shall consist of (a) a minimum of one (1) impaired nurse support group and (b) another local support group for substance abuse. Such evidence shall be submitted to the office of the Board of Nurse Examiners, on forms provided by the Board, at the end of each three (3) months for a minimum period of three (3) years.

(8) That, TAB B. BROWN shall comply in all respects with the Revised Civil Statutes of Texas, Article 4513 through 4528, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice of the Board of Nurse Examiners and the provisions of the terms of this Order of the Board.

The Board admonishes Respondent that the prime objective of the nursing profession is to render service to humanity and, whoever chooses this profession, assumes the obligation to conduct themselves in accordance with nursing standards and obey the laws of the State of Texas.

IT IS FURTHER ORDERED AND THE BOARD SO FINDS, in accordance with Article 6252-13a, 16(c), Revised Civil Statutes of Texas, as amended, that an imminent peril to the public health, safety, or welfare requires immediate effect of this Order and the same shall be effective on the date herein below rendered.

Entered this 27th day of January, 1988.

Certificate to Order of Board  
In the Matter of Applicant  
For Licensure  
TAB B. BROWN

The aforementioned Findings of Fact, Conclusions of Law and Order of the Board represent a final decision or Order duly made by the Board of Nurse Examiners in and for the State of Texas this the 27th day of January, 1988.

Pauline Barnes, RN  
President

Mary Elizabeth Jackson

Mary Virginia Jacobs, RN

Ettes Fivette RN

A. Joann Seaman, R.N.

Lynna C. Berelman, Ph.D.

John D. Brown, RN

Jeffrey Q