



Respondent's vocational employment history continued:

08/05	Unknown	
09/05-12/06	LVN	At Home Health Care Tyler, Texas
12/06-12/07	LVN	Maxim Healthcare Tyler, Texas
12/07-Present	LVN	Angels of Care Howe, Texas

6. On December 3, 2001, Respondent's license to practice vocational nursing in the State of Texas was Reprimanded by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the Finding of Fact, Conclusions of Law, and Agreed Order dated December 3, 2001, is attached and incorporated herein by reference as part of this Order.
7. On or about August 28, 2009, Respondent was issued an Agreed Order by the Texas Board of Nursing which required her to participate and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated March 19, 2008, is attached and incorporated, by reference, as part of this Order.
8. On or about October 27, 2010, Respondent engaged in the intemperate use of alcohol in that while participating in the Texas Peer Assistance Program for Nurses she submitted a specimen for a random drug screen which resulted positive for Ethyl Glucuronide and Ethyl Sulfate. Additionally, Respondent admitted to drinking alcohol. The use of alcohol by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
9. On or about October 27, 2010, Respondent failed to comply with an Agreed Order issued to her on August 28, 2009, by the Texas Board of Nursing. Non-compliance is the result of the Respondent's drug screen which resulted positive for Ethyl Glucuronide and Ethyl Sulfate and constitutes a failure to comply with her Texas Peer Assistance Program for Nurses (TPAPN) participation agreement, as required by Stipulation Number Three (3) of the Agreed Order which reads as follows:

(3) Respondent shall comply with all requirements of the TPAPN participation agreement during its term . . .

On November 3, 2010, Respondent was dismissed from TPAPN and referred to the Board.

10. Formal Charges were filed on January 27, 2011.
11. Formal Charges were mailed to Respondent on January 27, 2011.
12. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.
13. 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 after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
14. 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.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(1),(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(9),(10)(A)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational License Number 105786, heretofore issued to SHARON R. GREEN, including revocation of Respondent's license to practice 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 a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of 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.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 105786, heretofore issued to SHARON R. GREEN, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure 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.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

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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. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 16 day of February, 2011.

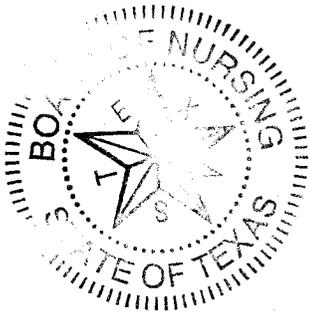
Sharon R. Green  
SHARON R. GREEN, Respondent

Sworn to and subscribed before me this 16<sup>th</sup> day of February, 2011.



Betty Witherspoon  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 105786, previously issued to SHARON R. GREEN.



Effective this 7th day of March, 2011.

A handwritten signature in cursive script, reading "Katherine A. Thomas".

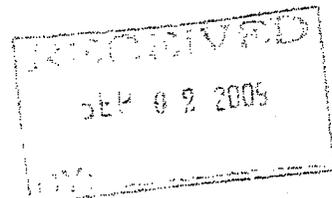
Katherine A. Thomas, MN, RN  
Executive Director on behalf  
of said Board



Respondent's vocational nursing employment history continued:

09/01-07/05	LVN	Maxim Healthcare Dallas, Texas
08/05	Unknown	
09/05-12/06	LVN	At Home Health Care Tyler, Texas
12/06-12/07	LVN	Maxim Healthcare Tyler, Texas
12/07-Present	LVN	Angels of Care Howe, Texas

6. On December 3, 2001, Respondent's license to practice vocational nursing in the State of Texas was Reprimanded by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the Agreed Order dated December 3, 2001 is attached and incorporated herein by reference as part of this Order.
7. On or about December 4, 2007, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED 2ND, a Class A misdemeanor offense committed on May 31, 2007, in the County Court at Law #1, Gregg County, Texas, under Cause No. 2007-3368. As a result of the conviction, Respondent was sentenced to confinement in the County Jail for a period of one (1) year; however, the imposition of the sentence of confinement was suspended and Respondent was placed on probation for a period of eighteen (18) months. On June 3, 2009, an Order to Release the Interlock Device was entered in the County Court at Law #1, Gregg County, Texas, under Cause No. 2007-3368.
8. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
9. 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.
10. In response to Finding of Fact Number Seven (7), Respondent states, "I used poor judgment in driving to the store after consuming alcohol and violated the law."
11. 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

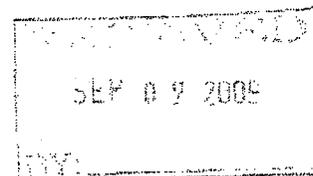
1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 105786, heretofore issued to SHARON R. GREEN, including revocation of Respondent's license to practice nursing in the State of Texas.
5. 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

IT IS THEREFORE 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):

RESPONDENT SHALL deliver the wallet-sized license issued to SHARON R. GREEN, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350.00)



payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

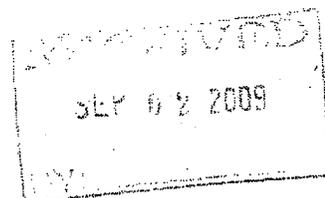
(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

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 Texas Board of Nursing 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.



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 violation 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 One (1) through Four (4) 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 Texas Board of Nursing, 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

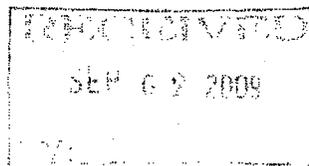
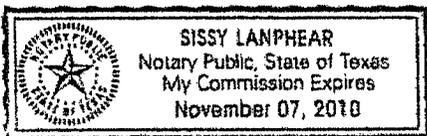
Signed this 24 day of August, 2009.

Sharon R. Green  
SHARON R. GREEN, Respondent

Sworn to and subscribed before me this 24 day of August, 2009.

SEAL

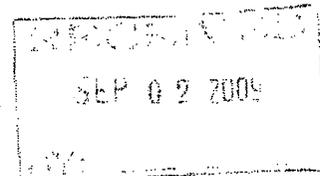
Sissy Lanphear  
Notary Public in and for the State of Texas



WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 24th day of August, 2009, by SHARON R. GREEN, Vocational Nurse License Number 105786, and said Order is final.

Entered and effective this 28th day of August, 2009.

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



BOARD OF VOCATIONAL  
NURSE EXAMINERS

VS.

SHARON R. GREEN

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§  
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§  
§  
§

STATE OF TEXAS

COUNTY OF TRAVIS

AGREED BOARD ORDER

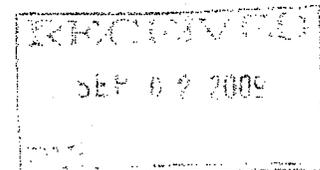
On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 105786 held by SHARON R. GREEN, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has been convicted of a crime of the grade of a misdemeanor that relates to the practice of vocational nursing and/or involves moral turpitude, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (3) (B), in the following manner:

I.

a. On or about August 29, 2000, Respondent submitted her License Renewal to the Board of Vocational Nurse Examiners and checked "Yes" to the question, "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

b. On June 9, 1999, Respondent was convicted of the misdemeanor offense of Driving While Intoxicated (DWI), under Cause No. 123743A in the County Court at Law 2 of Smith County, Texas. As a result of said conviction, Respondent was sentenced to 180 days confinement in the Smith County Jail and fined \$1,000.00 with \$750.00 probated.



AGREED BOARD ORDER  
RE: SHARON R. GREEN, LVN #105786  
PAGE 2

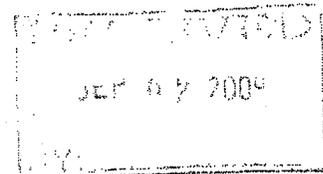
c. Respondent has been convicted of a crime, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said conviction is inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires knowledge and familiarity of drugs, and compliance with drug laws.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above-mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Respondent does hereby waive the right to a formal Complaint, Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED that license number 105786, heretofore issued to SHARON R. GREEN to practice vocational nursing in the State of Texas be, and the same is hereby REPRIMANDED.



AGREED BOARD ORDER  
RE: SHARON R. GREEN, LVN #105786  
PAGE 3

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Dated this the 29 day of October, 2001.

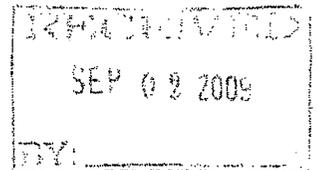
Sharon Green  
Signature of Respondent

18081 Midway Rd Apt 1324  
Current Address

Dallas, TX 75287  
City, State and Zip

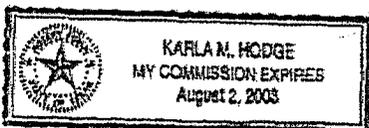
972-1862-7096  
Area Code and Telephone Number

The State of Texas  
County of Dallas



Before me, the undersigned authority, on this day personally appeared SHARON R. GREEN, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 29<sup>th</sup> day of October, 2001.



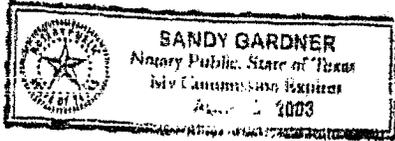
Karla M. Hodge  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
My Commission Expires August 02, 2003

AGREED BOARD ORDER  
RE: SHARON R. GREEN, LVN #105786  
PAGE 4

*Betty E. Siffis*

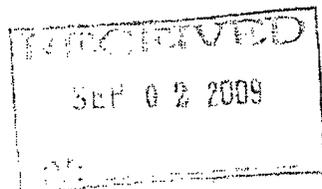
Betty E. Siffis, RN, MSN  
Agent for the Board of  
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the  
3rd day of December, 2001.



*Sandy Gardner*

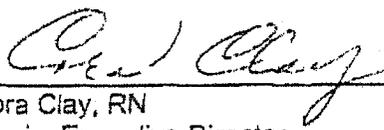
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
My Commission Expires 4/13/03



BOARD ORDER  
RE: SHARON R. GREEN, LVN #105786  
PAGE 5

WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 29<sup>th</sup> day of October, 2001 by SHARON R. GREEN, license number 105786 and that Said Order is Final.

Effective this 3<sup>rd</sup> day of December, 2001.

  
\_\_\_\_\_  
Cora Clay, RN  
Interim Executive Director  
On Behalf of Said Board

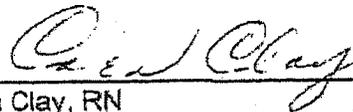
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BOARD ORDER  
RE: SHARON R. GREEN, LVN #105786  
PAGE 6

CERTIFICATE OF SERVICE

I hereby certify that on the 7<sup>th</sup> day of December, 2001, a true and correct copy of the foregoing BOARD ORDER was served by placement in the U.S. Mail first class mail, and addressed to the following person(s):

SHARON R. GREEN  
18081 MIDWAY ROAD  
NO 1324  
DALLAS, TEXAS 75287



\_\_\_\_\_  
Cora Clay, RN  
Interim Executive Director  
Agent for the Board of Vocational Nurse Examiners

