

Respondent's vocational nursing employment history continued:

1985 - 1991	LVN	Texas Department of Criminal Justice Retrieve Unit Angleton, Texas
1992 - 1993	LVN	St. Joseph's Hospital Bryan, Texas
1993 - 1995	Not employed in nursing	
1995 - 1998	LVN	Lake Jackson Healthcare Center Lake Jackson, Texas
1998 - 2001	Employment history unknown.	
02/2001 - 09/2003	LVN	The Point Webster, Texas
10/2003 - 02/2004	LVN	Lake Jackson Healthcare Center Lake Jackson, Texas
02/2004 - 04/2004	Employment history unknown.	
04/2004 - 07/2007	LVN	A-Med Community Hospice Texas City, Texas
07/2007 - 02/2008	Employment history unknown	
02/2008 - 08/2009	LVN	IPH Home Healthcare Angleton, Texas
08/2009 - 10/2009	Employment history unknown.	
10/2009 - 01/2010	LVN	Woodlake Nursing Home Clute, Texas
02/2010 - Present	LVN	S.O.S. Staffing Houston, Texas

5. On January 14, 2002, Respondent's license to practice vocational nursing was Suspended with the suspension stayed and she was placed on Probation by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of

Law, and January 14, 2002 Agreed Order is attached and incorporated, by reference, as part of this Order.

6. Formal Charges were filed on November 2, 2010. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
7. Formal Charges were mailed to Respondent on November 2, 2010.
8. On February 15, 2011, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated February 15, 2011, is attached and incorporated herein by reference as part of this Order.
9. 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.
10. 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.

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)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(A)&(E),(4),(5),(10)(A),(E)&(D)and(11)(B).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 107695, heretofore issued to DEBRA KAY SANDERS, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of 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 of 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 vocational nursing in the State of Texas.

Effective this 16th day of February, 2011.

TEXAS BOARD OF NURSING



By:



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

BNE

DEBRA KAY SANDERS
209 N. Lazy Lane
Clute, Texas 77531
Texas Vocational Nurse License #107695

Voluntary Surrender Statement

February 14, 2011

Dear Texas Board of Nursing:

I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Debra Kay Sanders

Date 2/15/11

Texas Nursing License Number/s 107695

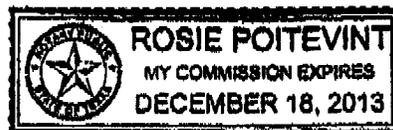
The State of Texas

Before me, the undersigned authority, on this date personally appeared DEBRA KAY SANDERS who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 15th day of February, 20 11.

SEAL

Rosie Poitevint
Notary Public in and for the State of Texas



In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 107695, Issued to §
DEBRA KAY SANDERS, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DEBRA KAY SANDERS, is a Vocational Nurse holding license number 107695, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about July 3, 2007, while employed with A-Med Community Hospice, Texas City, Texas, Respondent engaged in the intemperate use of Marijuana, in that Respondent produced a specimen for a drug screen that resulted positive for Marijuana. Possession of Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Marijuana by a Licensed 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(E),(4),(5),(10)(A),(D)&(11)(B).

CHARGE II.

On or about June 24, 2009, while employed with IPH Home Healthcare, Angleton, Texas, Respondent submitted an unauthorized, fraudulent, telephonically communicated prescription for Hydrocodone to CVS Pharmacy, West Columbia, Texas, under the name of Patient Medical Record Number 2009072A. Respondent's conduct was likely to deceive the pharmacy and possession of Hydrocodone through use of an unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(4),(10)(E)&(11)(B).

CHARGE III.

On or about August 25, 2009, while employed with IPH Home Healthcare, Angleton, Texas, Respondent engaged in the intemperate use of Marijuana, in that she produced a specimen for a drug screen that resulted positive for Carboxy-THC, a Marijuana metabolite. Possession of Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Marijuana by a Licensed 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(E),(4),(5),(10)(A)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, for Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

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CONTINUED ON NEXT PAGE.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated May 11, 2002.

Filed this 2nd day of November, 2010.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated May 11, 2002

0999/D

JAN 17 2002

BOARD OF VOCATIONAL
NURSE EXAMINERS

STATE OF TEXAS

VS.

DEBRA KAY SANDERS

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 107695 held by DEBRA KAY SANDERS, 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 engaged in unprofessional or dishonorable conduct that, Respondent has engaged in unprofessional or dishonorable conduct that, in the Board's opinion, is likely to deceive, defraud, or injure the public, in violation of Texas Occupations Code, Chapter 302, Section 302.402 (a) (10), in the following manner:

I.

a. Respondent was employed as a Licensed Vocational Nurse with Lake Jackson Nursing Center in Lake Jackson, Texas, from about March 31, 2000 through about October 10, 2000.

b. While so employed at said facility, on or about October 4, 2000, Respondent was notified by a staff member that patient L.W. was complaining that her left leg was hurting. Respondent failed to properly assess and evaluate said patient. Subsequently, patient L.W. was diagnosed with a fractured left hip.

AGREED BOARD ORDER
RE: DEBRA KAY SANDERS, LVN #107695
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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 107695, heretofore issued to DEBRA KAY SANDERS to practice vocational nursing in the State of Texas be, and the same is hereby Suspended, with said suspension stayed and placed on probation for a period of six (6) months.

The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.

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RE: DEBRA KAY SANDERS, LVN #107695
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2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Texas Occupations Code and Rules and Regulations of the Board.
3. That Respondent shall not practice nursing in a Nurse Licensure Compact remote state without obtaining prior written authority of both the BVNE and the Board of Nursing of the remote state.
4. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.
5. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.
6. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. five.
7. That Respondent shall successfully complete nursing program course(s) encompassing the following areas of study: **Nursing Assessment**, and submit documentation of successful course completion to the Board office prior to the end of probation. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to committing to said course(s). Said course(s) shall be through correspondence (through a recognized provider), in-house at a community college, university of nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent. Failure to successfully complete said course(s) within the time frame stipulated, shall be considered a violation of probation.
8. That Respondent pay a Probation Monitoring fee in the amount of thirty (\$30.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter commencing the quarter following the date of the Board's endorsement of the Order, and continuing thereafter until the successful completion of Respondent's probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to make any quarterly payment on time shall constitute a violation of probation.

AGREED BOARD ORDER
RE: DEBRA KAY SANDERS, LVN #107695
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9. That Respondent shall pay a license re-issue fee in the amount of twenty (\$20.00) dollars in the form of cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said re-issue license will be marked "PROBATION". Said fee shall be made not later than thirty (30) days following the date of the commencement of probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to return said license or pay said fee shall constitute a violation of probation.

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 14 day of January, 2002


Signature of Respondent

516 E. Myrtle #1
Current Address

Angleton TX 77575
City, State and Zip

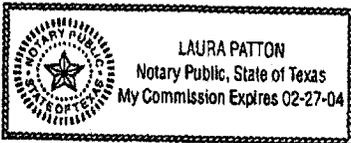
979 1848-1715
Area Code and Telephone Number

AGREED BOARD ORDER
RE: DEBRA KAY SANDERS, LVN #107695
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The State of Texas
County of Harris

Before me, the undersigned authority, on this day personally appeared DEBRA KAY SANDERS, 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 14 day of January, 2002.



Laura Patton
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 2-27-04

Terrie L. Hairston
Terrie L. Hairston, R.N., C.H.E.
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 8th day of February, 2002.

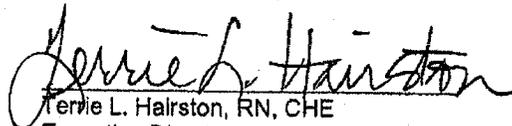


Sandy Gardner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 4/13/03

BOARD ORDER
RE: DEBRA KAY SANDERS, LVN #107695
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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 14th day of January, 2002 by Respondent, license number 107695 and that
Said Order is Final.

Effective this 11th day of March, 2002



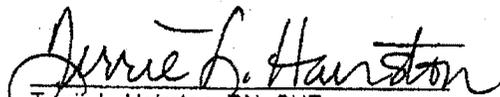
Terrie L. Hairston, RN, CHE
Executive Director
On Behalf of Said Board

BOARD ORDER
RE: DEBRA KAY SANDERS, LVN #107695
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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of March, 2002, a true and correct copy of the foregoing
BOARD ORDER was served by placement in the U.S. Mail, first class, and addressed to the
following person(s):

DEBRA KAY SANDERS
200 BRAZOSWOOD DR NO. 1807
CLUTE, TX 77531



Terrie L. Hairston, RN, CHE
Executive Director
Agent for the Board of Vocational Nurse Examiners