BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§
License Number 176891	§
issued to MANDI DAWN ROE	§

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 176891, issued to MANDI DAWN ROE, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing.

3. Respondent received a Certificate in Vocational Nursing from Vernon Regional Junior College, Wichita Falls, Texas, on July 5, 2000. Respondent was licensed to practice vocational nursing in the State of Texas on August 24, 2000.

4. Respondent's complete vocational nursing employment history is unknown

5. Formal Charges were filed on January 18, 2011. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.

6. Formal Charges were mailed to Respondent on January 20, 2011.

7. On April 6, 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 March 21, 2011, is attached and incorporated herein by reference as part of this Order.

8. 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.

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.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(G),(8),(10)(C)&(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.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 176891, heretofore issued to MANDI DAWN ROE, 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:

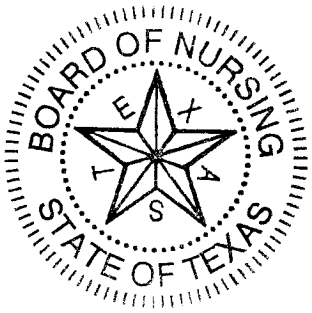
1. RESPONDENT SHALL NOT practice vocational nursing, use the title of vocational nurse or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse 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 8th day of April, 2011.



TEXAS BOARD OF NURSING

By: Katherine A. Thomas

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

MANDI DAWN ROE
2700 San Road #111
Vernon, Texas 76384
Texas Vocational Nurse License #176891

Voluntary Surrender Statement

March ~~February~~ 21, 2011

Dear Texas Board of Nursing:

I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license/licenses 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 Mandi Roe

Date ~~3-23-2011~~ MR 3-21-2011

Texas Nursing License Number/s 176891

The State of Texas

Before me, the undersigned authority, on this date personally appeared MANDI DAWN ROE 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 21st day of March, 2011.

PAM PRATHER
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 06-27-2012

Pam Prather
Notary Public in and for the State of Texas

In the Matter of Permanent License Number 176891, Issued to MANDI DAWN ROE, Respondent	§ § §	**BEFORE THE TEXAS BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MANDI DAWN ROE, is a Vocational Nurse holding license number 176891, which is in delinquint 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 June 3, 2007 through June 23, 2007, while employed as a Licensed Vocational Nurse with United Regional Health Care System, Wichita Falls, Texas, Respondent withdrew Lortab, Restoril, and Ambien from the medication dispensing system for patients, but failed to completely and accurately document the administration, including signs, symptoms and responses to the medication in the patients' Medication Administration Record and/or Nurse's Notes as follows:

Patient	Date	Time	Medication	MAR	Nurses Notes	Order
TRC	06/03/07	0742	Hydrocodone/Apap 5Mg 500Mg Tablet	None	None	Lortab 5Mg 1-2 PO every 4 hours PRN pain
TRC	06/03/07	1016	Propoxyphene/Apap 100Mg 650MG Tablet (2)	None	None	Darvocet N 100 1-2 PO every 4 hours PRN pain
MB	06/03/07	1312	Propoxyphene/Apap 100Mg 650MG Tablet (2)	None	None	Darvocet N 100 1-2 PO every 3-4 hours PRN pain
MAP	06/06/07	0914	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	Lortab 5Mg 1-2 PO every 4 hours PRN pain
JB	06/06/07	0915	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	Lortab 5mg 1-2 PO every 4 hours PRN pain
JB	06/06/07	0915	Ibuprofen 800Mg Tablet (1)	None	None	Motrin 800mg PO every 8 hours PRN pain
ARJ	06/06/07	1107	Hydrocodone/Apap 5Mg 500Mg Tablet	None	None	Lortab 5 mg 1-2 PO q 4 hours PRN pain
MAP	06/06/07	1224	Propoxyphene/Apap 100Mg 650Mg Tablet (2)	None	None	Darvocet N 100 1-2 PO every 4 hours PRN pain
ARJ	06/06/07	1241	Hydrocodone/Apap 5Mg 500Mg Tablet	None	None	Lortab 5 mg 1-2 PO q 4 hours PRN pain

AVW	06/13/07	1908	Propoxyphene/Apap 100Mg 650Mg Tablet (2)	None	None	Darvocet N 100 1-2 PO every 3 hours PRN pain
BNM	06/13/07	1909	Hydrocodone/Apap 5Mg 500Mg Tablet	None	None	Lortab 5mg 1-2 PO every 4 hour PRN pain
AVW	06/13/07	2057	Temazepam 15Mg Capsule (2)	None	None	Restoril 30Mg PO at bedtime PRN sleep
BNM	06/13/07	2130	Temazepam 15Mg Capsule (2)	None	None	Restoril 30Mg PO at bedtime PRN sleep
MKS	06/13/07	2134	Temazepam 15Mg Capsule	None	None	Restoril 30mg PO q bedtime PRN sleep
EDT	06/13/07	2204	Zolpidem Tartrate 10Mg Tablet (1)	None	None	Ambien 10mg PO PRN sleep
AVW	06/13/07	2333	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	Darvocet N 100 1-2 PO every 3 hours PRN pain
EDT	06/13/07	2235	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	Darvocet N 100 1-2 PO every 6 hours PRN pain
EDT	06/14/07	0101	Ibuprofen 800MG Tablet (1)	None	None	Ibuprofin 800Mg PO every 8 hours PRN pain
BNM	06/14/07	0106	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	Lortab 5mg 1-2 PO every 4 hour PRN pain
DMW	06/14/07	0109	Zolpidem Tartrate 10Mg Tablet (1)	None	None	Ambien 10mg 1 tab PO q bedtime PRN sleep
EDT	06/14/07	0216	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	Darvocet N 100 1-2 PO every 6 hours PRN pain
TLB	06/15/07	0737	Ibuprofen 800Mg Tablet (1)	None	None	Ibuprofen 800mg PO every 8 hours PRN pain
DMW	06/15/07	1141	Zolpidem Tartrate 10Mg Tablet (1)	None	None • "1150 Dc'd home with infant"	Ambien 10mg 1tab PO every bedtime PRN sleep
ALB	06/15/07	1214	Zolpidem Tartrate 10Mg Tablet (1)	None	None • "1240 Dc'd home with infant"	Ambien 10mg 1tab PO every bedtime PRN sleep
TLB	06/15/07	1354	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	Darvocet N 100 1-2 po every 4-6 hours PRN pain
SH	06/18/07	0829	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	Lortab 5mg 1-2 po q 4-6 hours PRN moderate pain
AMF	06/18/07	0926	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	Darvocet N 100 1-2 tabs PO every 4-6 hours PRN sleep
SH	06/18/07	1226	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	Lortab 5mg 1-2 po q 4-6 hours PRN moderate pain

SAP	06/18/07	1602	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	Darvocet N 100 1-2 tabs PO every 4-6 hours PRN pain
SAP	06/18/07	1800	Zolpidem Tartrate 10Mg Tablet (1)	None	None	Ambien 10Mg 1 tab PO every bedtime PRN sleep
BHK	06/22/07	1939	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	Propoxyphen/Acetaminophen (Darvocet) 100/650 mg 1 PO every 4 hours PRN moderate pain
ROL	06/22/07	2024	Hydrocodone/Apap 10Mg 500Mg Tablet (1)	None	None	Hydrocodone/Acetaminophen 10/500 1 po every 4 hours PRN intense pain
ADW	06/22/07	2201	Temazepam 15Mg Capsule (2)	None	None	Restoril 30mg po at bedtime PRN sleep
BHK	06/23/07	0006	Ibuprofin 800Mg Tablet (1)	None	None	Ibuprofen (Motrin) 800mg PO every 8 hours PRN mild pain
ROL	06/23/07	0006	Hydrocodone/Apap 10Mg 500Mg Tablet (1)	None	None	Hydrocodone/Acetaminophen 10/500 1 po every 4 hours PRN

Respondent's conduct resulted in an inaccurate, incomplete medical record, and was likely to injure the patient in that subsequent care givers would rely on her documentation in order to provide further patient care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B)&(4).

CHARGE II.

On or about June 3, 2007 through June 23, 2007, while employed as a Licensed Vocational Nurse with United Regional Health Care System, Wichita Falls, Texas, Respondent withdrew Lortab, Restoril, and Ambien from the medication dispensing system for patients, but failed to follow the policy and procedure for wastage of the medications as follows:

Patient	Date	Time	Medication	MAR	Nurses Notes	Waste	Order
TRC	06/03/07	0742	Hydrocodone/Apap 5Mg 500Mg Tablet	None	None	None	Lortab 5Mg 1-2 PO every 4 hours PRN pain
TRC	06/03/07	1016	Propoxyphene/Apap 100Mg 650MG Tablet (2)	None	None	None	Darvocet N 100 1-2 PO every 4 hours PRN pain
MB	06/03/07	1312	Propoxyphene/Apap 100Mg 650MG Tablet (2)	None	None	None	Darvocet N 100 1-2 PO every 3-4 hours PRN pain
MAP	06/06/07	0914	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	None	Lortab 5Mg 1-2 PO every 4 hours PRN pain

JB	06/06/07	0915	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	None	Lortab 5mg 1-2 PO every 4 hours PRN pain
JB	06/06/07	0915	Ibuprofen 800Mg Tablet (1)	None	None	None	Motrin 800mg PO every 8 hours PRN pain
ARJ	06/06/07	1107	Hydrocodone/Apap 5Mg 500Mg Tablet	None	None	None	Lortab 5 mg 1-2 PO q 4 hours PRN pain
MAP	06/06/07	1224	Propoxyphene/Apap 100Mg 650Mg Tablet (2)	None	None	None	Darvocet N 100 1-2 PO every 4 hours PRN pain
ARJ	06/06/07	1241	Hydrocodone/Apap 5Mg 500Mg Tablet	None	None	None	Lortab 5 mg 1-2 PO q 4 hours PRN pain
AVW	06/13/07	1908	Propoxyphene/Apap 100Mg 650Mg Tablet (2)	None	None	None	Darvocet N 100 1-2 PO every 3 hours PRN pain
BNM	06/13/07	1909	Hydrocodone/Apap 5Mg 500Mg Tablet	None	None	None	Lortab 5mg 1-2 PO every 4 hour PRN pain
AVW	06/13/07	2057	Temazepam 15Mg Capsule (2)	None	None	None	Restoril 30Mg PO at bedtime PRN sleep
BNM	06/13/07	2130	Temazepam 15Mg Capsule (2)	None	None	None	Restoril 30Mg PO at bedtime PRN sleep
MKS	06/13/07	2134	Temazepam 15Mg Capsule	None	None	None	Restoril 30mg PO q bedtime PRN sleep
EDT	06/13/07	2204	Zolpidem Tartrate 10Mg Tablet (1)	None	None	None	Ambien 10mg PO PRN sleep
AVW	06/13/07	2333	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	None	Darvocet N 100 1-2 PO every 3 hours PRN pain
EDT	06/13/07	2235	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	None	Darvocet N 100 1-2 PO every 6 hours PRN pain
EDT	06/14/07	0101	Ibuprofen 800MG Tablet (1)	None	None	None	Ibuprofin 800Mg PO every 8 hours PRN pain
BNM	06/14/07	0106	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	None	Lortab 5mg 1-2 PO every 4 hour PRN pain
DMW	06/14/07	0109	Zolpidem Tartrate 10Mg Tablet (1)	None	None	None	Ambien 10mg 1 tab PO q bedtime PRN sleep
EDT	06/14/07	0216	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	None	Darvocet N 100 1-2 PO every 6 hours PRN pain
TLB	06/15/07	0737	Ibuprofen 800Mg Tablet (1)	None	None	None	Ibuprofen 800mg PO every 8 hours PRN pain

DMW	06/15/07	1141	Zolpidem Tartrate 10Mg Tablet (1)	None	None * "1150 Dc'd home with infant"	None	Ambien 10mg 1tab PO every bedtime PRN sleep
ALB	06/15/07	1214	Zolpidem Tartrate 10Mg Tablet (1)	None	None * "1240 Dc'd home with infant"	None	Ambien 10mg 1tab PO every bedtime PRN sleep
TLB	06/15/07	1354	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	None	Darvocet N 100 1-2 po every 4-6 hours PRN pain
SH	06/18/07	0829	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	None	Lortab 5mg 1-2 po q 4-6 hours PRN moderate pain
AMF	06/18/07	0926	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	None	Darvocet N 100 1-2 tabs PO every 4-6 hours PRN sleep
SH	06/18/07	1226	Hydrocodone/Apap 5Mg 500Mg Tablet (2)	None	None	None	Lortab 5mg 1-2 po q 4-6 hours PRN moderate pain
SAP	06/18/07	1602	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	None	Darvocet N 100 1-2 tabs PO every 4-6 hours PRN pain
SAP	06/18/07	1800	Zolpidem Tartrate 10Mg Tablet (1)	None	None	None	Ambien 10Mg 1 tab PO every bedtime PRN sleep
BHK	06/22/07	1939	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	None	None	None	Propoxyphen/Acetaminophen (Darvocet) 100/650 mg 1 PO every 4 hours PRN moderate pain
ROL	06/22/07	2024	Hydrocodone/Apap 10Mg 500Mg Tablet (1)	None	None	None	Hydrocodone/Acetaminophen 10/500 1 po every 4 hours PRN intense pain
ADW	06/22/07	2201	Temazepam 15Mg Capsule (2)	None	None	None	Restoril 30mg po at bedtime PRN sleep
BHK	06/23/07	0006	Ibuprofin 800Mg Tablet (1)	None	None	None	Ibuprofen (Motrin) 800mg PO every 8 hours PRN mild pain
ROL	06/23/07	0006	Hydrocodone/Apap 10Mg 500Mg Tablet (1)	None	None	None	Hydrocodone/Acetaminophen 10/500 1 po every 4 hours PRN

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of 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)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(10)(C)&(11)(B).

CHARGE III.

On or about June 6, 2007 through June 23, 2007 while employed as a Licensed Vocational Nurse with United Regional Health Care System, Wichita Falls, Texas, Respondent withdrew Lortab, Restoril, and Ambien from the medication dispensing system for patients in excess frequency and/or dosage of the physician's order as follows:

Patient	Date	Time	Medication	Order
ARJ	06/06/07	1107	Hydrocodone/Apap 5Mg 500Mg Tablet	Lortab 5 mg 1-2 PO q 4 hours PRN pain
ARJ	06/06/07	1241	Hydrocodone/Apap 5Mg 500Mg Tablet	Lortab 5 mg 1-2 PO q 4 hours PRN pain
EDT	06/13/07	2235	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	Darvocet N 100 1-2 PO every 6 hours PRN pain
EDT	06/14/07	0216	Propoxyphene/APAP 100Mg 650Mg Tablet (2)	Darvocet N 100 1-2 PO every 6 hours PRN pain
DMW	06/14/07	0109	Zolpidem Tartrate 10Mg Tablet (1)	Ambien 10mg 1 tab PO q bedtime PRN sleep
DMW	06/15/07	1141	Zolpidem Tartrate 10Mg Tablet (1)	Ambien 10mg 1tab PO every bedtime PRN sleep
ROL	06/22/07	2024	Hydrocodone/Apap 10Mg 500Mg Tablet (1)	Hydrocodone/Acetaminophen 10/500 1 po every 4 hours PRN intense pain
ROL	06/23/07	0006	Hydrocodone/Apap 10Mg 500Mg Tablet (1)	Hydrocodone/Acetaminophen 10/500 1 po every 4 hours PRN

Respondent's conduct was likely to injure the patient in that the administration of Lortab, Restoril, and Ambien in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(C), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B) and (4).

CHARGE IV.

On or about June 3, 2007 through June 23, 2007, while employed as a Licensed Vocational Nurse with United Regional Health Care System, Wichita Falls, Texas, Respondent misappropriated Lortab, Restoril, and Ambien belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

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)&(B),(6)(G)&(8).

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. 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 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.

Filed this 18th day of January, 2011.

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

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