



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. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 598532 § AGREED
issued to MARK ALLEN PARIS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the matter of MARK ALLEN PARIS, Registered Nurse License Number 598532, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order, subject to ratification by the Board.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Mid American Nazarene College, Olathe, Kansas, in May 1, 1993. Respondent was licensed to practice professional nursing in the State of Texas on November 1, 1993.
5. Respondent's professional nursing employment history includes:

12/93 - 03/99	RN	St. Joseph Hospital Houston, TX
04/99 - 11/02	RN	University of Texas MD Anderson Cancer Center Houston, TX

12/02 - 12/07	RN	St. Joseph Hospital Houston, TX
01/07 - 04/08	RN	University of Texas MD Anderson Cancer Center Houston, TX
05/08 - Current	Case Manager	Apostle Home Health Friendswood, TX

6. On or about July 12, 1994, Respondent's license to practice professional nursing in the State of Texas received a sanction of Remedial Education with Stipulations by the Board of Nurse Examiners for the State of Texas, Austin, Texas. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated July 12, 1994, is attached and incorporated, by reference, as part of this Order.
7. On or about January 11, 2010, Respondent was issued an Agreed Order by the Texas Board of Nursing, requiring Respondent to apply to, and be accepted into the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated January 11, 2010, is attached and incorporated, by reference, as part of this Order.
8. Stipulation Number Three (3) of the Agreed Order of 2010 reads in part:
 - (3) Respondent shall comply with all requirements of the TPAPN participation agreement during the term.
9. Respondent was under the care of a physician for intractable pain. Respondent has a documented marked compression fracture T12. Treatment for his condition included controlled substances.
10. Individuals who have long-term prescriptions for mood-altering medications are not eligible to participate in the TPAPN program.
11. Respondent did not comply with the requirements in the January 11, 2010 Agreed Order because he was not eligible to participate in TPAPN.
12. The Board has received the following:
 - Letter, dated December 30, 2010, from Julia A. Kovacs, MD, Houston, Texas. Dr. Kovacs states that Respondent has been under her care since December of 2004. Dr. Kovacs states that Respondent has always behaved in an appropriate fashion, has always come to regularly scheduled appointments, and has not tried to refill his medications early. Dr. Kovacs states that it was a joint decision to consult with a pain management physician and consider Suboxone. Dr. Kovacs

reports that Respondent is doing very well regarding his pain control and has not requested further refills for Hydrocodone.

- Letter from Shahnaz A. Karim, M.D., F.A.A.P.M.R, OneStop Medical Care, Houston, Texas. Dr. Karim states that Respondent has been under his care for pain management for his chronic back pain. Dr. Karim states that Respondent was treated with vicoprofen/vicodin from his primary care physician in the past but is currently on Suboxone to avoid taking Oxycontin or other strong medications. Dr. Karim states that the goal is to wean Respondent off of the Suboxone. Furthermore, Dr. Karim states that Respondent is compliant and stable.
 - Radiology Exam Report, dated June 30, 2009, which shows Respondent received a "marked compression fracture T12".
 - Letter of reference from Kathryn Fox Morrison, RN/CEO, Apostle Home Health Care, P.L.L.C., Friendswood, Texas.
13. In view of the above, Respondent has requested that the Previous Order dated January 11, 2010 be superseded and that this order control.

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)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

ORDER

The Agreed Order dated January 11, 2010 Order is superseded and this Order is now applicable to Respondent.

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 598532, previously issued to MARK ALLEN PARIS, to practice professional nursing in Texas is hereby SUSPENDED, with the

suspension STAYED, and Respondent is hereby placed on PROBATION for a period of two (2) with the following agreed terms of probation:

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order the Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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.

(1) RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§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.

(2) RESPONDENT SHALL pay a monitoring fee in the amount of five hundred (\$500) dollars. RESPONDENT SHALL pay this fine within forty-five (45) days of the suspension being stayed. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics,

confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

SUBJECT TO OTHER PROVISIONS HEREIN, IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(4) RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT SHALL

present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) For the first year of employment as a nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency, with the exception of Respondent's current employment with Apostle Home Health Care, P.L.L.C., Friendswood, Texas. Should Respondent's employment with Apostle Home Health Care, P.L.L.C., Friendswood, Texas cease or his assignments change, multiple employers and assignments will be prohibited. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall

have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency with the exception of Respondent's current employment with Apostle Home Health Care, P.L.L.C., Friendswood, Texas. Should Respondent's employment with Apostle Home Health Care, P.L.L.C., Friendswood, Texas cease or his assignments change, multiple employers and assignments will be prohibited. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) Provided that Respondent continues his current employment with Apostle Home Health Care, P.L.L.C., the Respondent shall be deemed to be in compliance with the terms of this order requiring the Respondent to provide direct patient care and to comply with stipulations (6) and (7). Should Respondent's employment with Apostle Home Health Care, P.L.L.C., Friendswood, Texas cease or his assignments change, Respondent must comply with such terms and stipulations as written.

(9) RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned for one (1) year of employment as a nurse.

(10) RESPONDENT SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(11) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a nurse.

(12) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for two (2) years of employment as a nurse.

(13) RESPONDENT SHALL abstain from alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by S.A. Karim, M.D. or a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(14) RESPONDENT SHALL submit to random periodic screens for controlled substances, and tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month

period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT's place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas

Occupations Code, or REVOCATION of Respondent's license and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

(15) RESPONDENT SHALL participate in pain management therapy with Dr. Karim, or a Board approved physician, licensed by the Texas Medical Board. RESPONDENT SHALL CAUSE Dr. Karim or any other approved physician to submit written reports to the Board, which shall include, at a minimum, the clinical indications and rationale for the chronic use of controlled substances, RESPONDENT'S progress and compliance with pain management therapy, and a prognosis as to RESPONDENT'S ability to safely practice nursing in a direct patient care setting. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the probation period, or until RESPONDENT no longer requires the use of controlled substances.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of Feb, 2011.

Mark A Paris
MARK ALLEN PARIS, Respondent

Sworn to and subscribed before me this 15 day of Feb, 2011.

SEAL



Max Grimaldo
Notary Public in and for the State of TX

Approved as to form and substance.

Ace Pickens
ACE PICKENS, Attorney for Respondent

Signed this 15 day of Feb, 2011

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 15th day of February, 2011, by MARK ALLEN PARIS, Registered Nurse License Number 598532, and said Order is final.

Effective this 8th day of March, 2011.



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



BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate
Number 598532 issued to
MARK ALLEN PARIS

§
§
§

AGREED ORDER

On this day came to be considered by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the matter of registered nurse license number 598532, held by MARK ALLEN PARIS, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(8), Revised Civil Statutes of Texas, as amended.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in Texas.
2. Respondent received a Baccalaureate Degree in Nursing from Mid American Nazarene College, Olathe, Kansas in May, 1993.
3. Respondent was employed with St. Joseph Hospital, Houston, Texas from June 7, 1993 to present.
4. Respondent while employed with St. Joseph Hospital, Houston, Texas, on or about November 8, 1993, provided a specimen for a drug screen which resulted positive for alcohol.

CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended the Board has jurisdiction over this matter.
2. That the evidence received was sufficient to prove violation(s) of Article 4525(b)(8), TEX.REV.CIV.STAT.ANN.
3. That the activities of the Respondent constituted sufficient cause pursuant to Article 4525(b), TEX.REV.CIV.STAT.ANN, to take disciplinary action against license number 598532, heretofore issued to MARK ALLEN PARIS.

AGREED TERMS, STIPULATIONS AND CONDITIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that Respondent receive the discipline of remedial education with stipulations to practice as follows for one (1) year:

(1) Respondent shall comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, art. 4513 et seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and the Terms, Stipulations and Conditions of this Order.

(2) IT IS FURTHER AGREED that the wallet-size license issued to MARK ALLEN PARIS, be delivered to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(3) RESPONDENT shall, within one (1) year of entry of this Order, successfully complete a course in Nursing Jurisprudence within one (1) year. RESPONDENT shall obtain Board approval of course prior to enrollment. Home Study courses will not be approved. RESPONDENT shall cause the sponsoring institution to submit a Verification of Completion form to verify RESPONDENT's successful completion of the course.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the truth of the matters previously set out. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Terms, Stipulations and Conditions to avoid further disciplinary action in this matter; and, I consent to the issuance of this discipline. I waive my right to a hearing and judicial review of this Order. I understand that this Order is subject to ratification by the Board and becomes effective when signed by the Executive Director of the Board.

Dated this 10 day of June, 1994.

Mark A. Paris
MARK ALLEN PARIS

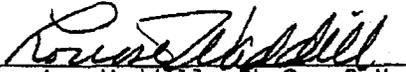
Sworn to and subscribed before me this 10 day of June, 1994.

SEAL

Sylvia Thomas Jefferson
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order signed by MARK ALLEN PARIS, license number 598532, on the 10th day of June, 1994, and said Order is final.

Signed this 12th day of July, 1994.


Louise Waddill, Ph.D., R.N.
Executive Director on behalf
of said Board



BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS



Mailing Address:
BOX 140466
AUSTIN, TEXAS 78714

9101 BURNET ROAD, SUITE 104
AUSTIN, TEXAS 78758 • AC 512/835-4880

LOUISE WADDILL, Ph.D., R.N.
EXECUTIVE DIRECTOR

February 7, 1995

Mark A. Paris
3212 Morrison
Houston, Texas 77009

Dear Mr. Paris:

This office is in receipt of the certificate of attendance indicating your successful completion of "The BNE in '94". Our records now reflect your successful completion of the requirements of the Order of the Board issued to you in July of 1994.

Please return your wallet-sized certificate of re-registration to our office, along with a copy of this letter. We will then issue you a certificate without the stipulated designation.

If you should have any questions, do not hesitate to contact this office at (512) 835-8673.

Sincerely,

A handwritten signature in cursive script that reads "Korena Schaaf".

Korena Schaaf
Administrative Technician II
Monitoring

1094/142

MEMBERS OF THE BOARD

ROSE M. CABALLERO, B.S.N., R.N.
CORPUS CHRISTI, TEXAS

PAT Y. CROWE
FORT WORTH, TEXAS

MARY V. FENTON, Dr.P.H., R.N.
GALVESTON, TEXAS

ROSELYN HOLLOWAY, M.S.N., R.N.
LUBBOCK, TEXAS

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HOUSTON, TEXAS

MORRIS H. PARRISH, Ph.D.
IRVING, TEXAS

DORIS PRICE-NEALY, M.S.N., R.N.
BEAUMONT, TEXAS

ROBERT J. PROVAN, J.D.
AUSTIN, TEXAS

PETTEY C. ROSS, M.S., R.N.
EL PASO, TEXAS

BEFORE THE TEXAS BOARD OF NURSING

RECEIVED

JAN 20 2010

By: _____

In the Matter of Registered Nurse License Number 598532 § AGREED
issued to MARK ALLEN PARIS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARK ALLEN PARIS, Registered Nurse License Number 598532, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10)&(12), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 19, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Mid American Nazarene College, Olathe, Kansas, in May 1, 1993. Respondent was licensed to practice professional nursing in the State of Texas on November 1, 1993.
5. Respondent's professional nursing employment history includes:

12/93 - 03/99

RN

St. Joseph Hospital
Houston, TX

Respondent's professional nursing employment history (continued):

04/99 - 11/02	RN	University of Texas MD Anderson Cancer Center Houston, TX
12/02 - 12/07	RN	St. Joseph Hospital Houston, TX
01/07 - 09/07	RN	University of Texas MD Anderson Cancer Center Houston, TX
10/07 - Current	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7) and Eight (8), Respondent was employed as a Registered Nurse with the University of Texas MD Anderson Cancer Center, Houston, Texas, and had been in this position for approximately eight (8) months.
7. On or about September 27, 2007, while employed as a Registered Nurse at University of Texas MD Anderson Cancer Center, Houston, Texas, Respondent lacked fitness to practice professional nursing in that he was unable to perform his nursing duties, had slurred speech, and was stumbling. Respondent's condition could have affected the nurse's ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. On or about September 27, 2007, while employed as a Registered Nurse at University of Texas MD Anderson Cancer Center, Houston, Texas, Respondent admitted that he engaged in the intemperate use of Ativan. The use of Ativan by a Registered 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, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.
9. In response to Findings of Facts Numbers Seven (7) and Eight (8), Respondent states that he had to work that day because he had just returned from an extended vacation and did not have any more vacation and/or sick time. Respondent admits to taking Advil Cold and Sinus, a Z-Pac, a reducing amount of steroids, and Ativan. Respondent states that the combination of all of these medications had a serious impact on his ability to think, walk, and talk. Respondent states that he has successfully completed Intensive Out-Patient at The Right Step), has attended weekly aftercare meetings, and has attended AA meetings one (1) to two (2) times a week. Respondent states that he continues to see Dr. Powers at The Right Step as his primary care physician.

10. Respondent states that his sobriety date is September 28, 2007.
11. 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.
12. 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.
13. Respondent's conduct described in Finding of Fact Number Seven (7) and Eight (8) resulted from Respondent's impairment by dependency on chemicals.
14. 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)(9),(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(5)&(10)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 598532, heretofore issued to MARK ALLEN PARIS, 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):

RECEIVED

JAN 20 2010

By: _____

RESPONDENT SHALL deliver the wallet-sized license issued to MARK ALLEN PARIS, 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 five hundred dollars (\$500.00) 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 his 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.

RECEIVED

JAN 20 2010

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By: _____

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 EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RECEIVED

JAN 20 2010

By: _____

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. 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

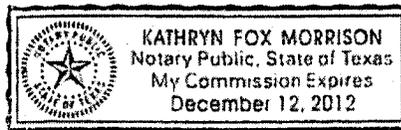
Signed this 5 day of January, 2010.

Mark A Paris
MARK ALLEN PARIS, Respondent

Sworn to and subscribed before me this 5th day of January, 2010.

SEAL

Kathryn Fox Morrison
Notary Public in and for the State of Texas



RECEIVED

JAN 20 2010

By: _____

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 5 day of January, 2010, by MARK ALLEN PARIS, Registered Nurse License Number 598532, and said Order is final.



Entered and effective this 11th day of January, 2010.

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

RECEIVED

JAN 20 2010

By: _____



Texas Board
of Nursing

Registered Nurse - Verification Results

PARIS, MARK ALLEN
HOUSTON TX 77009

License No:

598532

[Click here to view license](#)

Issued on:

11/1/1993

Licensure Status:

CURRENT - 8/31/2010

Compact Texas License:

NO

Current Disciplinary Action (if applicable):

TPAPN ORDER 1/11/2010

Total Finds: 1

The Texas Board of Nursing certifies that it maintains the information for the license verification function of this website, performs daily updates to the website and considers the website to be a secure, primary source for license verification.

Texas Board of Nursing
333 Guadalupe #3-460
Austin, Texas 78701

Office: (512) 305-7400