

5. On January 4, 2011, the Board provided notice to Respondent for the following allegations:
 - A. On or about January 6, 2010 through May 5, 2010, while employed as a Registered Nurse with Seton Northwest Hospital, Austin, Texas, Respondent:
 - i. withdrew Fentanyl from the Medication Dispensing System for patients that were not under her care.
 - ii. withdrew Fentanyl from the Medication Dispensing System for patients without valid physicians' orders.
 - iii. withdrew Fentanyl from the Medication Dispensing System for patients, but failed to document or accurately document the administration of the medications in the patients' Medication Administration Records and/or nurse's notes.
 - iv. withdrew Fentanyl from the Medication Dispensing System for patients, but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications.
 - v. misappropriated Fentanyl from the facility and patients thereof, or failed to take the precautions to prevent such misappropriation.
 - B. On or about October 4, 2010 through October 31, 2010, while employed as a Registered Nurse with Seton Northwest Hospital, Austin, Texas, Respondent misappropriated Fentanyl from the facility and patients thereof. Additionally, she admitted that she diverted the medications for personal use.
6. On February 25, 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 24, 2011, is attached and incorporated herein by reference as part of this Order.
7. 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.
8. 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)(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(C)&(D) and 217.12(4),(5),(8),(10)(A),(B)&(E) 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.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 614839, heretofore issued to LAURA JILL APODACA, to practice professional 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 professional nursing, use the title of registered nurse or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered 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 professional nursing in the State of Texas.

Effective this 1st day of March, 2011.



TEXAS BOARD OF NURSING

By: _____

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

LAURA JILL APODACA
2505 Monte Carlo
Cedar Park, Texas 78613
Texas Registered Nurse License #614389

Voluntary Surrender Statement

February 16, 2011

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional 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

Laura J. Apodaca

Date

2-24-11

Texas Nursing License Number/s

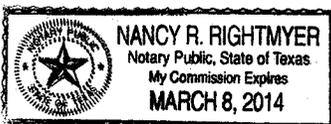
614839

The State of Texas

Before me, the undersigned authority, on this date personally appeared LAURA JILL APODACA 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 24 day of February, 2011.

SEAL



Nancy R. Rightmyer

Notary Public in and for the State of Texas