

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 243305 §
issued to VICTOR L VARNADOE §



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

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 243305, issued to VICTOR L VARNADOE, 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 is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on May 1, 1978. Respondent was licensed to practice professional nursing in the State of Texas in September 1, 1978.
4. Respondent's nursing employment history is unknown.
5. On or about November 23, 2010, the Texas Board of Nursing notified Respondent of the following allegation: On or about August 11, 1984, Respondent was arrested by the Collin County Sheriff's Office, McKinney, Texas and charged with POSSESSION OF MARIJUANA 4 OZ-51 LBS (a Felony offense).

6. In response to Finding of Fact Number Five (5), Respondent states that he paid a substantial fine and underwent several years of probation checks and periodic urine tests with a probation counselor. He finished that and was even released a little early because of good record of no further infractions. He had put this all behind him thinking he had paid his debt. His family and employers and coworkers have never been aware of his past and he has never given them cause. It distresses him greatly that he should be called to answer for something a second time 25 years after the fact. Having his family and professionals find out about this thru an investigation is more than he can bear. The damage to him and his family, living in a small community would bring irreparable harm to his reputation and good name. It is because of this that he respectfully and voluntarily surrenders his license to practice effective immediately.
7. On December 16, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering his license to practice vocational nursing in Texas. A copy of Respondent's statement, dated December 16, 2010, 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 violation of TEX. REV. CIV. STAT. ANN 4528c. sec.10(a)(9)(effective 1/1/1981),and is a violation of 22 TEX. ADMIN. CODE §231.81(6)(effective 1/1/1983).
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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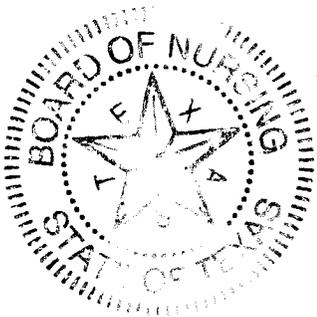
ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 243305, heretofore issued to VICTOR L VARNADOE, 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 himself 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.
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 28th day of December, 2010.



TEXAS BOARD OF NURSING

By:


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

VICTOR L. VARNADOE
Po Box 1019
Buchanan Dam
Texas RN License #243305

Voluntary Surrender Statement

December _____, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional or 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 Victor L. Varnadoe

Date 12/14/10

Texas Nursing License Number/s _____

The State of Texas

Before me, the undersigned authority, on this date personally appeared VICTOR L. VARNADOE who, being duly sworn by me, stated that he executed the above for the purpose therein contained and that he understood same.

Sworn to before me the 14th day of December, 2010.

SEAL

Tanya Marie Arnold
Notary Public in and for the State of Texas

