

Respondent's nursing employment history continued:

2004	Travel Nurse	Chicago, Illinois
2005	Volunteer	Greater Killeen Free Clinic Killeen, Texas
2005 - 2010	Maternal Child Nurse	Metroplex Hospital Killeen, Texas
2006 - 2007	Owner/Operator	Staple Me Thin Killeen, Texas
2007 - 2008	Maternal Child Nurse	Metroplex Hospital Killeen, Texas
2008 - Present	New Parent Support Program Home Visitor	Strategic Resource Inc. Fort Hood, Texas

6. At the time of the initial incident, Respondent was employed as the Owner/Operator of Staple Me Thin, Killeen, Texas, and had been in this position for one (1) year.
7. On or about February 2007 through November 2007, while employed as the Owner/Operator of Staple Me Thin, Killeen, Texas, Respondent while holding herself out as an "RN" provided ear stapling services to hundreds of patients and laser therapy to at least ten (10) patients, for nicotine cessation, weight removal, pain management and stress management, without physician orders and/or physician supervision and without having been trained by appropriate medical practitioners. Additionally, Respondent represented and marketed the services and therapies as effective for decreasing appetite and cravings, and for improvements in gastrointestinal disorders, among others, even though the Federal Drug Administration had not made such approvals. Respondent's conduct was likely to injure patients and was in violation of 21 Code of Federal Regulations, Part 812, Investigational Device Exemptions, and Chapter 431 of the Texas Health and Safety Code.
8. In response to the incidents in Finding of Facts Numbers Seven (7), Respondent states that she did not realized that a physician's order or supervision was required. Respondent states that she believes she was certified as qualified to provide both procedures and that she ceased the practice as soon as she became aware of the issues.

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)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B)&(1)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).
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 679024, heretofore issued to LUVINA ANN SABREE, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS WITH A FINE, and 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.

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(s) is/are encumbered by this Order, 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.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, 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>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of

Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. 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.

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

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

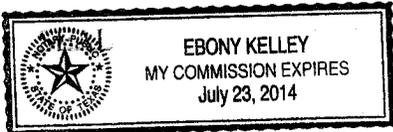
RESPONDENT'S CERTIFICATION

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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 21 day of Oct, 20 10.

Luvina Sabree
LUVINA ANN SABREE, Respondent

Sworn to and subscribed before me this 21st day of October, 20 10.



Ebony Kelley
Notary Public in and for the State of Texas

Approved as to form and substance.

Catherine Tabor
Catherine Tabor, Attorney for Respondent

Signed this 12 day of OCT, 20 10.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 21st day of October, 2010, by LUVINA ANN SABREE, Registered Nurse License Number 679024, and said Order is final.

Effective this 14th day of December, 2010.




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