

BEFORE THE 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.
Katherine A. Thomas
Executive Director of the Board

In the Matter of Registered Nurse §
License Number 594361 § AGREED
issued to COLLEEN AGNES DOBBS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of COLLEEN AGNES DOBBS, Registered Nurse License Number 5943 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1), (9) and (10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, Executive Director, 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(s).
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 Dallas Baptist College, Dallas, Texas, on May 1, 1993. Respondent was licensed to practice professional nursing in the State of Texas on September 22, 1993.

5. Respondent's professional nursing employment history includes:

5/93 - 5/94	GN/Staff Nurse	Parkland Memorial Dallas, Texas
5/94 - 4/96	Agency Nurse	Advanced Temporary Dallas, Texas
3/95 - 8/95	Staff Nurse	Sibbetoff Nursing Home Lutterworth, England
4/96 - 12/02	Agency Nurse	Maxim Health Care Services Dallas, Texas
8/98 - 12/00	Agency Nurse	StarMed Travel Nursing Dallas, Texas
2003 - 7/2005	Unknown	
8/05 - 10/06	Substitute Teacher	Duncanville ISD Duncanville, Texas
10/05 - 8/06	Counselor/Educator	Mosaic Family Services Dallas, Texas
10/06 - 5/07	Administrative Assistant	Gatehouse Capital Dallas, Texas
3/08 - Unknown	Staff Nurse	DaVita Dallas, Texas
present	Staff Nurse	Prestonwood Rehabilitation and Nursing Center Plano, Texas

6. On November 20, 2002, the Board accepted the voluntary surrender of Respondent's license to practice professional nursing in the State of Texas. A copy of the November 20, 2002, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On February 13, 2007, Respondent's license to practice professional nursing was Reinstated by the Texas Board of Nursing. A copy of the February 13, 2007, Reinstatement Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
8. Respondent states January 8, 2010, as her date of sobriety.
9. Respondent submitted documentation of support group attendance dating from July 20, 2009, through July 1, 2010.
10. Respondent completed intensive outpatient treatment on September 2, 2009, through Timberlawn Mental Health System, Dallas, Texas.
11. 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.
12. Formal Charges were filed on November 23, 2009. A copy of the Formal Charges is attached and incorporated, by reference, as part of this Order.
13. Formal Charges were mailed to Respondent on November 30, 2009.
14. On December 21, 2009, Respondent pled "Guilty" to the offense of "Driving While Intoxicated - 2nd," a Class A Misdemeanor, under Cause No. MA0948689C, in the County Criminal Court 3, Dallas County, Texas, for an offense that occurred on May 15, 2009. Respondent was convicted and sentenced to five (5) days confinement, placed on probation for a period of eighteen (18) months, and ordered to pay a fine in the amount of seven hundred and fifty (\$750.00) dollars.

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)(1), (9) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(10)(A) and (11)(B).
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 594361, heretofore issued to COLLEEN AGNES DOBBS, 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 Registered Nurse License Number 594361, previously issued to COLLEEN AGNES DOBBS, to practice nursing in Texas is hereby SUSPENDED and said suspension is ENFORCED until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve (12) consecutive months of sobriety. The treatment program completed by the Respondent on September 2, 2009, at Timberlawn Mental Health Systems, Dallas, Texas, does not satisfy this requirement. Any relapse prior to the completion of the twelve (12) consecutive months of sobriety will result in an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

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.

IT IS FURTHER AGREED, upon verification of successful completion of the approved treatment and twelve (12) consecutive months of sobriety as set out in this Order, the Suspension will be STAYED, and RESPONDENT will be placed on PROBATION for three (3) years with the following agreed terms of probation:

(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 all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty (\$250.00) 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.

(4) RESPONDENT SHALL pay a monitoring fee in the amount of five hundred (\$500.00) 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.

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 THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) 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:

(5) 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.

(6) 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.

(7) 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 professional 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. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) 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. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(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 Registered 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) month period for three (3) years of employment as a nurse.

(13) RESPONDENT SHALL abstain from the consumption of 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 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, 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(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

(15) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

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(s), 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 to by the Staff of the Texas Board of Nursing and the Respondent, that should the Respondent fail to comply with a substantive requirement or condition of this Agreed Order, said failure to comply will constitute grounds for immediate Revocation of the Respondent's license to practice professional nursing in the State of Texas. In this regard, the Respondent agrees to waive, and by her signature on this Agreed Order does affirmatively waive, her right to an administrative hearing under the provisions of the Administrative Procedure Act of the State of Texas, Chapter 2001 of the Texas Government Code and relevant provisions of the Nursing Practice Act of the State of Texas, Chapter 301 of the Texas Occupations Code.

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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

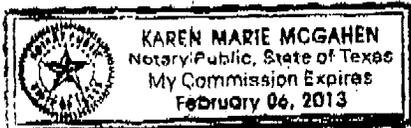
I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. 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 31 day of August, 2010.

Colleen Agnes Dobbs
COLLEEN AGNES DOBBS, Respondent

Sworn to and subscribed before me this 31 day of August, 2010.

SEAL



Karen M. McGahen

Notary Public in and for the State of Texas

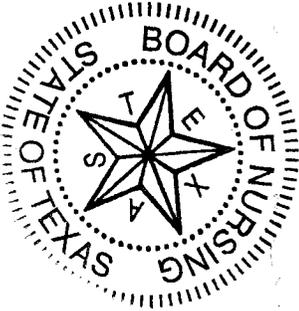
Approved as to form and substance.

JEP
JON E. PORTER, Attorney for Respondent

Signed this 1 day of September, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 31st day of August, 2010, by COLLEEN AGNES DOBBS, Registered Nurse License Number 594361, and said Order is final.

Effective this 21st day of October, 2010.



Katherine A. Thomas

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 License Number 594361 § AGREED
issued to COLLEEN AGNES DOBBS § ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of License Number 594361, issued to COLLEEN AGNES DOBBS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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, 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 in Nursing from Dallas Baptist College, Dallas, Texas, on May 1, 1993. Respondent was licensed to practice professional nursing in the State of Texas on September 22, 1993.

5. Respondent's professional employment history is unknown.
6. On or about January 14, 2002, Respondent surrendered her license to practice professional nursing in the Commonwealth of Massachusetts, Suffolk County, Board of Registration in Nursing, Boston, Massachusetts. A copy of the January 14, 2002, Surrender Agreement is attached and incorporated, by reference, as part of this Order.
7. On or about April 25, 2002, Respondent engaged in the intemperate use of cannabinoids in that Respondent produced a specimen for a drug screen which resulted positive for cannabinoids. Possession of cannabinoids is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act).
8. On or about October 22, 2002, while employed at Maxim Healthcare, Dallas, Texas, and on assignment at Lakepoint Medical Center, Rowlett, Texas, Respondent misappropriated Demerol from the facility and the patients thereof. Respondent's conduct defrauded the facility and the patients thereof of the cost of the medication.
9. Respondent, by his/her signature to this Order, expresses his/her desire to voluntarily surrender his/her license to practice professional nursing in the State of Texas.
10. 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.
11. 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)(8) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1) & (19).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 594361, heretofore issued to COLLEEN AGNES DOBBS, including revocation of Respondent's professional license to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452(b), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of License Number 594361, heretofore issued to COLLEEN AGNES DOBBS, to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to COLLEEN AGNES DOBBS, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title "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.
3. 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.
4. 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 multistate privilege, if any, to practice professional nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

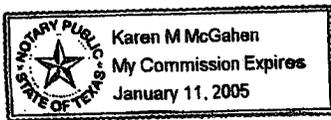
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 13 day of November, 2002.

Colleen Agnes Dobbs
COLLEEN AGNES DOBBS, Respondent

Sworn to and subscribed before me this 13 day of November, 2002.

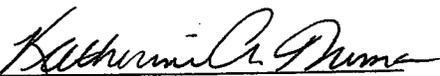
SEAL



Karen McGahan
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of License Number 594361, previously issued to COLLEEN AGNES DOBBS.

Effective this 20th day of November, 2002.



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

COMMONWEALTH OF MASSACHUSETTS

RECEIVED

JAN 10 2002

BOARD OF REGISTRATION IN NURSING

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN NURSING

In the Matter of
Colleen A. Dobbs, RN
License No. 238824

Docket No. RN-02-043

SURRENDER AGREEMENT

The Massachusetts Board of Registration in Nursing (Board) and Colleen A. Dobbs (Licensee), a Registered Nurse (RN) licensed by the Board, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board:

1. The Licensee hereby acknowledges and agrees that this Surrender Agreement (Agreement) is entered into in resolution of the Board's investigation of a complaint filed against her Massachusetts nursing license, Docket No. RN-02-043.
2. The Licensee states that she is surrendering to the Board her license to practice as a Registered Nurse. The Licensee acknowledges that her conduct, as documented in Docket No. RN-02-043, constitutes failure to comply with the Board's Standards of Conduct at 244 Code of Massachusetts Regulations (CMR) sections 9.03(5), (6)(a), (9), (31), (35), (37), (38), (39), (44) and (47), and warrants disciplinary action by the Board under Massachusetts General Laws (G.L.) Chapter 112, section 61 and Board regulations at 244 CMR section 7.04, Disciplinary Actions. Specifically, the Licensee admits that, while employed by US Nurses, Inc. at Brockton Hospital in Brockton, MA, on or about various dates between May 25 and June 13, 2001, she diverted controlled substances from the facility for her own use; was observed to sign out and place in her pocket a 75mg tubex of Demerol for a patient who did not have an order for the medication and which she charted administering; and she removed controlled substances from the medication supply for patients who did not have orders for the medications, in excess of the dosages ordered and more frequently than ordered. The Licensee also admits that she has a substance abuse problem and chemical dependency.
3. The Licensee understands that the surrender of her nursing license is for at least a three (3) year period, commencing with the Effective Date of this Agreement, which is the date on which the Board signs this Agreement after receiving the Agreement signed by the Licensee, along with her Massachusetts nursing license,

License No. 238824, delivered to the Board by hand or certified mail (Effective Date). After a three (3) year period of license surrender, the Licensee may petition the Board in writing for reinstatement of her Massachusetts license. Upon such petition, the Licensee shall submit to the Board documentation satisfactory to the Board of her ability to practice nursing in a safe and competent manner, including, but not limited to, documentation of her successful and continued recovery from substance abuse as specified in Paragraph 4 below and evidence of completion of all continuing education required by Board regulations within the two (2) renewal cycles immediately preceding her reinstatement petition. The Board may choose to reinstate said license if the Board determines that reinstatement is in the best interests of the public at large.

4. The Licensee agrees that at the time of any request for license reinstatement she shall:
 - a. arrange to have submitted directly to the Board, according to the conditions and procedures outlined in **Attachment A**, the results of random supervised urine tests for substances of abuse, collected no less than ten (10) times per year during the two (2) years immediately preceding the request for reinstatement, all of which are required to be negative;
 - b. submit documentation that she has obtained a sponsor and is regularly attending Alcoholics Anonymous (AA) and/or Narcotics Anonymous (NA) meetings; and
 - c. if employed during the year immediately prior to her request for reinstatement, arrange for each employer during said year to submit directly to the Board a performance evaluation, which reviews the Licensee's attendance, general reliability and overall job performance.

Upon her request for reinstatement of her license, the Licensee shall submit to the Board documentation satisfactory to the Board that she has complied with these stipulations.

5. The Licensee further understands and agrees that any reinstatement of her nursing license by the Board after the Effective Date of this Agreement as provided under Paragraph 3 above, may be conditioned upon and immediately followed by, a Probation of her nursing license for a period of time (Probationary Period), as well as other restrictions and requirements that the Board may then determine are reasonably necessary in the best interests of the public health, safety and welfare.
6. The Licensee agrees that she will not practice as a Registered Nurse in Massachusetts from the Effective Date of this Agreement unless and until the Licensee's license is reinstated by the Board. The Licensee understands that

practice as a nurse includes, but is not limited to, seeking and/or accepting a paid or voluntary position as a nurse, or a paid or voluntary position requiring that the applicant hold a current nursing license.

7. The Licensee further understands that if she accepts a voluntary or paid position as a Registered Nurse or engages in any practice of nursing after the Effective Date of this Agreement and before formal reinstatement of her nursing license by the Board as provided herein, evidence of such practice shall be grounds for the Board's referral of any such unlicensed practice to the appropriate law enforcement authorities for prosecution, as set forth in G. L. c. 112, sections 65 and 80.
8. The Licensee understands that this surrender of her license is a final act depriving her of all privileges of registration and is not subject to reconsideration or judicial review.
9. The Licensee states that she has used legal counsel in connection with the decision to surrender her license or, if she has not used legal counsel, that the decision not to use legal counsel has been one taken of her own free will.
10. The Licensee understands that, after its Effective Date, the Board is authorized to forward a copy of this Agreement to other interested licensing boards and/or law enforcement entities, as well as to any other individual or entity as required by law.
11. The Board agrees that in return for the Licensee's execution and successful compliance with all the requirements of this Surrender Agreement, the Board shall not prosecute before itself the allegations arising from the Board's investigation in connection with Docket No. RN-02-043.
12. The Licensee agrees to return to the Board, by hand or by certified mail, her current Massachusetts license to practice as a Registered Nurse, License No. 238824, and two (2) original copies of this Agreement, signed witnessed and dated, within fifteen (15) days of her receipt of the Agreement.
13. The Licensee certifies that she has read this document entitled "Surrender Agreement." The Licensee understands that she has the right to a formal adjudication concerning the allegations against her and that at said hearing she would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, to appeal to the courts, and all other rights set forth in the Massachusetts Administrative Procedure Act, G. L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.00 *et seq.* The Licensee further states that she understands that in executing this document

entitled "Surrender Agreement," she is knowingly and voluntarily waiving her right to a formal hearing and to all of the above-listed rights attendant thereto.

Helen Dobbs 1/4/02
Witness (sign and date)
[Signature] 1/4/02
Helen Dobbs
Witness (print name)
Jesse Wilson 1/4/02

Colleen Dobbs 1/4/02
Colleen A. Dobbs, RN
Licensee (sign and date)

Theresa M. Bonanno / @
Theresa M. Bonanno, MSN, RN
Executive Director
Board of Registration in Nursing

January 14, 2002
Effective Date of license Surrender

Attachment A: Random Urine Testing Information Sheet

Fully Signed Agreement Sent to Licensee by Certified Mail No. 7000 1670 0003 1378 9936

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse	§	
License Number 594361	§	REINSTATEMENT
issued to COLLEEN AGNES DOBBS	§	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 Petition for Reinstatement of Registered Nurse License Number 594361, held by COLLEEN AGNES DOBBS, hereinafter referred to as Petitioner.

An informal conference was held on November 28, 2006, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Jolene Zych, MS, RNC, WHNP, Nurse Consultant, Executive Director's Designee; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Mary Lynn Adams, BSN, RN, Investigator; Elise Dunham, Investigator; Laura Ferrell, RN, Investigator; Marcia Wilson, RN, Investigator; Noemi Reyes, Investigator; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.

3. Petitioner received a Baccalaureate Degree in Nursing from Dallas Baptist College, Dallas, Texas, on May 1, 1993. Petitioner was originally licensed to practice professional nursing in the State of Texas on September 22, 1993.
4. Petitioner's professional nursing employment history is unknown.
5. On November 20, 2002, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the November 20, 2002, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.
6. On or about July 7, 2006, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
7. Petitioner presented the following in support of her petition:
 - 7.1. Final Judgment, dated February 18, 1988, from the County Court at Law of Nacogdoches County, Texas, reflecting Petitioner pled "Guilty" to the offense of "Operating a Motor Vehicle in a Public Place, to-wit: a Public Road and Highway While under the Influence of Intoxicants."
 - 7.2. Decision and Order from the State of California, dated February 26, 2005, reflecting Petitioner's surrender of her license to practice professional nursing based on the surrender of her license to practice professional nursing in the State of Massachusetts.

Attachment: Surrender Agreement from the Commonwealth of Massachusetts effective January 14, 2002, indicating Petitioner's surrender of her license to practice professional nursing for at least three (3) years.
 - 7.3. Letter, dated May 17, 2006, from Joe Rivera, Medical Records, The Right Step, states Petitioner was admitted to the Adult RTC program on August 16, 2001, and successfully completed it on August 30, 2001.
 - 7.4. Letter of support, dated March 23, 2006, from Linda Wood, Mabank, Texas, states she has known Petitioner for over four (4) years and has sponsored her in the first years of Alcoholics Anonymous. Petitioner is very conscientious and caring in her every day living. She has taken her recovery very seriously and does her best to keep herself emotionally, mentally, and spiritually fit in order to keep her sobriety. Petitioner is well-versed in her career of choice and has done well in whatever endeavors she has gone into. Ms. Wood feels that Petitioner will do her best and has learned enough about her addiction and recovery to be able to go forward without the use of any mood altering drugs.

- 7.5. Letter of support, dated April 14, 2006, from Laura Abeita, Duncanville, Texas, states she has known Petitioner for over twenty (20) years and her commitment and passion for her work were always evident during this time. Petitioner has experienced her share of negative events; however, she has proven her ability to turn these negative events into positive ones. She has worked extremely hard to prepare herself to return to the career she loves.
- 7.6. Letter of support, dated March 30, 2006, from Gina Mares, Lead Outreach Counselor, Mosaic Family Services, Dallas, Texas, states she has known Petitioner through her work experience with the agency during the past year, where she works as an HIV Prevention Outreach Counselor. Petitioner has done an excellent job in this position and is an asset to the organization. Petitioner has shown the kind of initiative which is necessary to be successful over the long-term in any field. She has excellent people skills, and remains focused on the overall needs of the client. Petitioner continuously exercises the highest professionalism. She is always willing to offer her assistance and has an excellent rapport with the many constituents served by the office. Ms. Mares recommends Petitioner without reservation.
- 7.7. Letter of support, dated June 12, 2006, from Johnny Gossett, BSW, Outreach Counselor, Dallas, Texas, states he has worked with Petitioner since October 2005 at Mosaic Family Services. Mr. Gossett states that she is a wonderful addition to the team and a pleasure to work with and that Petitioner is a very kind lady and has a great positive attitude. Mr. Gossett knows Petitioner is in recovery and working a good program. Petitioner has been able to reach out to people like only someone who has been there before can do. She genuinely cares for people and enjoys being able to help.
- 7.8. Letter, dated April 14, 2006, from Michelle Betts, Duncanville ISD Payroll, Duncanville Independent School District, Duncanville, Texas, states Petitioner was employed by DISD as a Substitute Teacher from September 1, 2003, through January 13, 2006.
- 7.9. Letter, dated May 4, 2006, from Cindy Suarez, MS, CRC, Vocational Rehabilitation Counselor, Texas Department of Assistive and Rehabilitative Services, Duncanville, Texas, states Petitioner has been a consumer of Division of Rehabilitative Services on two (2) separate occasions. As a consumer of DRS, she received psychiatric evaluation, medication consultation and follow-up, and individual counseling services. Petitioner has been an active participant of vocational rehabilitation services and has been working on dealing with disability related issues.

- 7.10. Letter of support, dated May 17, 2006, from Rev. T. Michael Dugan, Pastor, St. Elizabeth of Hungary, Dallas, Texas, states Petitioner and her family are long-time members of St. Elizabeth of Hungary Catholic Church and he has known them for the last fifteen (15) years. Rev. Dugan knows the family well and has prayed and journeyed with them through some incredibly challenging moments in their lives including recent deaths in the family. Petitioner is attentive to her spiritual welfare and often attends mass with her niece and nephews who lost their father. Rev. Dugan believes he has seen great growth and maturity in Petitioner and knows that she has worked hard at her recovery. Rev. Dugan feels confident in recommending that Petitioner be given the opportunity to practice nursing again.
 - 7.11. Letter of support, dated June 13, 2006, from Sharon Dobbs, San Antonio, Texas, states she is writing on her sister's behalf. She is finally making a serious attempt at petitioning to have her nursing license reinstated. She has had plenty of time away from her nursing career and is genuinely missing her calling. Petitioner is now ready to focus on renewing her passion for a quality life and nursing career. Petitioner is an excellent nurse. She has a great appreciation for helping others.
 - 7.12. Documentation of support group attendance dating from May 29, 2005, through June 30, 2006.
 - 7.13. Documentation of twenty-seven (27) Type I Continuing Education contact hours.
8. Petitioner gives May 29, 2005, as her date of sobriety.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. 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.
3. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that the petition of COLLEEN AGNES DOBBS, Registered Nurse License Number 594361, to practice professional nursing in the state of Texas, be and the same is hereby GRANTED SUBJECT TO THE FOLLOWING CONDITIONS SO LONG AS THE PETITIONER complies 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 §211.01 *et. seq.* and the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's multistate licensure privilege, if any, to practice professional nursing in the State of Texas

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a minimum 80-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to COLLEEN AGNES DOBBS, shall be subject to the following agreed post-licensure stipulations:

(6) PETITIONER SHALL pay a monetary fine in the amount of five hundred (\$500.00) dollars. PETITIONER SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(7) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing jurisprudence. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. PETITIONER 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 PETITIONER's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses can be found on the Board's website www.bne.state.tx.us (under BNE events).*

(8) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing ethics. PETITIONER 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify PETITIONER's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) 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 STIPULATION PERIOD:

(9) PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER's license. PETITIONER 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.

(10) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(11) For the first year of employment as a Registered Nurse under this Order, PETITIONER SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). The PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(12) For the remainder of the stipulation period, PETITIONER 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 PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(13) PETITIONER SHALL NOT practice as a professional 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 PETITIONER is regularly assigned for one (1) year of employment as a professional nurse.

(14) PETITIONER SHALL NOT practice as a professional nurse in any critical care area for one (1) year of employment as a professional 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.

(15) PETITIONER 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 professional nurse.

(16) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the

PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for three (3) year(s) of employment as a nurse.

(16) PETITIONER SHALL abstain from the consumption of 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, PETITIONER 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 PETITIONER SHALL submit to an evaluation by 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.

(17) PETITIONER SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the second three (3) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months.

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 PETITIONER's place of employment at any time during the stipulation period and require PETITIONER 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. PETITIONER SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board. Failure to report for a drug screen may be considered the same as a positive result and may result in further disciplinary action by this Board.

(18) PETITIONER SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. PETITIONER SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the PETITIONER's progress in therapy, rehabilitation and capability to safely practice professional nursing. The report must indicate whether or not the PETITIONER's stability is sufficient to provide direct patient care safely. 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 stipulation period, or until PETITIONER is dismissed from therapy.

(19) PETITIONER SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse; and PETITIONER SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the

chairperson of each group. Suggested by PETITIONER. PETITIONER SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, PETITIONER SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

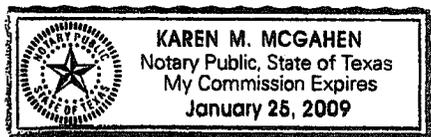
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 9 day of January, 2006.

Colleen Dobbs
COLLEEN AGNES DOBBS, Petitioner

Sworn to and subscribed before me this 9 day of January, 2006.

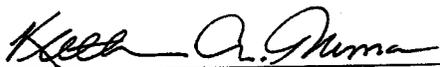
SEAL



Karen McGahen
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 Reinstatement Agreed Order that was signed on the 9th day of January, 2007, by COLLEEN AGNES DOBBS, Registered Nurse License Number 594361, and said Order is final.

Effective this 13th day of February, 2007.



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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 594361, Issued to §
COLLEEN AGNES DOBBS, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, COLLEEN AGNES DOBBS, is a Registered Nurse holding license number 594361, which is in current 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 October 28, 2008, while employed with DaVita, Dallas, Texas, Respondent engaged in the intemperate use of Tramadol in that she produced a specimen for a drug screen which resulted positive for Tramadol. Possession of Tramadol is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Tramadol 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A), (D)&(11)(B).

CHARGE II.

On or about October 28, 2008, while employed with DaVita, Dallas, Texas, Respondent failed to comply with the Reinstatement Agreed Order issued to her on February 13, 2007, by the Board of Nurse Examiners for the State of Texas. Noncompliance is the result of her failure to comply with Stipulation Number Sixteen (16) of the Reinstatement Agreed Order which states, in pertinent part:

(16) PETITIONER SHALL abstain from the consumption of 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....

A copy of the February 13, 2007, Reinstatement Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE III.

On or November 18, 2008, while employed with DaVita, Dallas, Texas, Respondent engaged in the intemperate use of Tramadol in that she produced a specimen for a drug screen which resulted positive for Tramadol. Possession of Tramadol is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Tramadol 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A), (D)&(11)(B).

CHARGE IV.

On or about November 18, 2008, while employed with DaVita, Dallas, Texas, Respondent engaged in the intemperate use of Morphine in that she produced a specimen for a drug screen which resulted positive for Morphine. Possession of Morphine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Morphine 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A), (D)&(11)(B)

CHARGE V.

On or about November 18, 2008, while employed with DaVita, Dallas, Texas, Respondent failed to comply with the Reinstatement Agreed Order issued to her on February 13, 2007, by the Board of Nurse Examiners for the State of Texas. Noncompliance is the result of her failure to comply with Stipulation Number Sixteen (16) of the Reinstatement Agreed Order which states, in pertinent part:

(16) PETITIONER SHALL abstain from the consumption of 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....

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

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

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, which can be found at the Board's website, www.bon.state.tx.us.

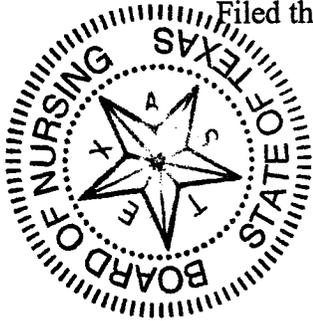
NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

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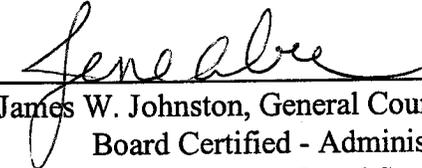
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NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Orders which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated November 20, 2002, and February 13, 2007.

Filed this 27th day of November, 2009.

The seal of the Texas Board of Nursing is circular. It features a five-pointed star in the center with the letters 'A', 'S', 'T', 'E', and 'X' on its points. The words 'BOARD OF NURSING' are written around the top inner edge, and 'STATE OF TEXAS' is written around the bottom inner edge. The outer border of the seal consists of a series of small, repeating rectangular shapes.

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
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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

Attachments: Agreed Order dated November 20, 2002.
Reinstatement Agreed Order dated February 13, 2007.