



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 146265 §
issued to JACKIE SUE JACKSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of JACKIE SUE JACKSON, Vocational Nurse License Number 146265, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9)&(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 15, 2010, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Western Texas College, Snyder, Texas, on February 17, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on April 26, 1994.
5. Respondent's nursing employment history includes:

04/1994 - 06/1995	Staff Nurse	Cogdell Memorial Hospital Snyder, Texas
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Respondent's nursing employment history continued:

06/1995 - 05/2005	Office Nurse Supervisor	Covenant Health Care Snyder, Texas
05/2005 - 08/2005	Correctional Nurse	Cornell Companies Big Spring, Texas
09/2005 - 10/2005	Unknown	
11/2005 - 01/2008	Staff Nurse	Cogdell Memorial Hospital Snyder, Texas
02/2008 - Present	Unknown	

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Staff Nurse with Cogdell Memorial Hospital, Snyder, Texas, and had been in this position for one (1) year and seven (7) months.
7. On or about June 23, 2007, while employed as a Staff Nurse with Cogdell Memorial Hospital, Snyder, Texas, Respondent lacked fitness to practice nursing due to exhibiting impaired behavior while on duty, including lethargy, slurred speech, and staggering gait. When questioned by supervisory staff, she admitted that she had taken medication for a headache and agreed that she was in no condition to take care of patients. Respondent was subsequently requested to submit to a urine drug screen, and on June 29, 2007, Respondent submitted a specimen which resulted positive for Propoxyphene. Respondent's conduct was likely to injure patients in that her condition affected her ability to recognize the signs, symptoms, or changes in patients' conditions and prevented her from being able to make rational, accurate, and appropriate assessments, judgements, and decisions regarding care of her patients.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent admits that she has used Propoxyphene; however, at the time she used the medication, which had been prescribed by a physician, she states that she was not on duty.
9. 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.
10. 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.

11. On or about May 14, 2008, Respondent disclosed to the Board during the renewal of her license to practice nursing that she has been addicted to, and treated for, the use of drugs and stated that she has successfully completed in-patient treatment at Serenity Foundation of Texas, Abilene, Texas; has continued the recommended aftercare and outpatient treatment; attends Narcotics Anonymous and Alcoholic Anonymous meetings; and has taken random drug screens for employment with negative results. Respondent stated that her sobriety date is July 20, 2007.
12. Respondent's conduct described in Finding of Fact Number Seven (7) was significantly influenced by Respondent's impairment by dependency on chemicals.
13. 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 violations of Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(10)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 146265, heretofore issued to JACKIE SUE JACKSON, 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):

RESPONDENT SHALL deliver the wallet-sized license issued to JACKIE SUE JACKSON, 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 three hundred fifty dollars (\$350.00) 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 her 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 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, 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.

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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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

Signed this 30th day of April, 2010.

Jackie Sue Jackson
JACKIE SUE JACKSON, Respondent

Sworn to and subscribed before me this 30th day of April, 2010.



Betty K. Edwards
Notary Public in and for the State of Texas

Approved as to form and substance.

Charles C. Self III
Charles C. Self III, Attorney for Respondent

Signed this 30th day of April, 2010.

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 30th day of April, 2010, by JACKIE SUE JACKSON, Vocational Nurse License Number 146265, and said Order is final.

Entered and effective this 6th day of May, 2010.


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

