



5. Respondent's nursing employment history includes:

6/1984-08/2004	Unknown
08/2004-03/2005	Staff Nurse American Hospice Houston, Texas
03/2005-05/2005	Unknown
5/2005-12/2005	Medical Records Review Nurse Ad Hoc Local Placement Services Houston, Texas
1/2006-8/2006	Nurse Supervisor Foundation Surgical Hospital Bellaire, Texas
9/2006-11/2006	Agency Nurse Vista Care Hospice Houston, Texas
11/2006-04/2007	Unknown
04/2007-10/2007	Agency Nurse Christus Home Care Houston, Texas
10/2007-11/2007	Unknown
11/2007-05/2008	Agency Nurse Health Priority Home Care Houston, Texas
08/2008-05/2009	Staff Nurse Mission Regional Medical Center Mission, Texas
05/2009-Present	Not employed in nursing

6. On or about July 21, 1986, Respondent voluntarily surrendered his license to practice vocational nursing in the State of Texas to the Board of Vocational Nurse Examiners for the States of Texas. A copy of the Order dated July 21, 1986 is attached and incorporated, by reference, as part of this Order.
7. On or about January 27, 1988, Respondent's license to practice vocational nursing in the State of Texas was reinstated by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusion of Law, and Reinstatement Agreed Order dated January 27, 1988, is attached and incorporated, by reference, as part of this Order.
8. On or about November 12, 1987, Respondent's license to practice professional nursing in the State of New Mexico was suspended by the New Mexico Board of Nursing for a period of three (3) years. On February 15, 1990, Respondent's license to practice professional nursing in the State of New Mexico was reinstated by the New Mexico Board of Nursing.
9. On or about January 27, 1988, Respondent was issued a license to practice professional nursing in the State of Texas, which was issued with stipulations for three (3) years or until dismissed from the probation by the New Mexico Board of Nursing as stated in Finding of Fact Number Eight (8). A copy of the January 27, 1988 Agreed Order, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
10. On January 20, 1993, Respondent's license to practice professional nursing in the State of Texas was suspended by the Texas Board of Nursing, Austin, Texas, for five (5) years. On April 29, 1997, the Order of the Board dated January 20, 1993, was vacated and Respondent's license was restored to unencumbered status. A copy of the Order dated April 29, 1997, is attached and incorporated, by reference, as part of this Order.
11. At the time of the incident in Finding of Fact Number Twelve (12), Respondent was employed as a staff Nurse with CHRISTUS Home Care, Houston, Texas, and had been in this position for approximately six (6) months.
12. On or about October 18, 2007, while employed with CHRISTUS Home Care, Houston, Texas, and while caring for Patient MR #151883, Respondent failed to notify a physician that said patient had a critical International Normalized Ratio (INR) value of 3.5, and a Prothrombin Time (PT) of 45.7. Respondent's failure exposed said patient to the risk of harm including but not limited to: hemorrhage, prolonged clotting time, and thrombocytopenia.

13. On or about October 18, 2007, while employed with CHRISTUS Home Care, Houston, Texas, and while caring for Patient MR #151883, Respondent falsely documented that he notified a physician of said patient's critical INR value of 3.5, and a PT of 45.7. Respondent's action exposed said patient to the risk of harm in that Respondent may have denied Patient MR# 151883 of necessary medical interventions.
14. In response to Findings of Fact Numbers Twelve (12) and Thirteen (13), Respondent states that he was not given any guidelines by CHRISTUS Home Care on what to do with the INR or PT results. Additionally, Respondent states that he attempted to contact a physician with said results, but was directed to voice mail which did not accept any messages. Respondent denies falsifying any documentation.
15. At the time of the incident in Findings of Fact Numbers Sixteen (16) through Eighteen (18), Respondent was employed as a staff nurse with Missions Regional Medical Center, Mission, Texas, and had been in that position for nine (9) months.
16. On or about May 5, 2009, while employed with Mission Regional Medical Center, Mission, Texas, Respondent failed to assess and/or document a nursing assessment of Patient MR# M000366032 who was assigned to his care. Respondent's failure exposed said patient to the risk of harm in that subsequent caregivers would have incomplete information on which to base their plan of care.
17. On or about May 5, 2009, while employed with Mission Regional Medical Center, Mission, Texas, Respondent failed to assess and/or completely and accurately document a nursing assessment of Patient MR# M00392854 who was assigned to his care. Respondent's failure exposed said patient to the risk of harm in that subsequent caregivers would have incomplete information on which to base their plan of care.
18. On or about May 5, 2009, while employed with Mission Regional Medical Center, Mission, Texas, Respondent failed to document an initial nursing assessment of Patient MR# M000393332 who was assigned to his care. Respondent's failure exposed said patient to the risk of harm in that subsequent caregivers would have incomplete information on which to base their plan of care.
19. On or about January 1, 2008, Respondent self disclosed a diagnosis of Alcohol Abuse to the Texas Board of Nursing. Respondent states he was not impaired during his nursing practice. Respondent states that he is currently participating in Alcoholics Anonymous (AA), and has a sobriety date of August 29, 2009.
20. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his licenses to practice professional and vocational nursing in the State of Texas.

21. 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.
22. 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)(9),(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B),(1)(D), (1)(H), and 22 TEX. ADMIN. CODE §217.12(1)(B),(1)(C ),(2),(3),(4), and (6)(A).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Registered License Number 543517, and Vocational License Number 108118, heretofore issued to TAB BLANE BROWN, including revocation of Respondent's licenses 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 301.453(d), 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 Registered License Number 543517, and Vocational License Number 108118,

heretofore issued to TAB BLANE BROWN, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional and/or vocational nursing, use the title "registered and/or vocational nurse" or the abbreviation "RN" and/or "LVN" or wear any insignia identifying himself as a registered and/or vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered and/or vocational nurse during the period in which the licenses are 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 nursing in the State of Texas.

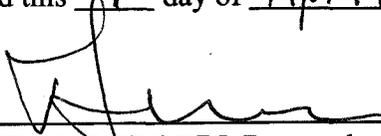
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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 1<sup>st</sup> day of April, 2010.

  
\_\_\_\_\_  
TAB BLANE BROWN, Respondent

Sworn to and subscribed before me this 1<sup>st</sup> day of April, 2010.



  
\_\_\_\_\_  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 543517, and Vocational License Number 108118, previously issued to TAB BLANE BROWN .

Effective this 13<sup>th</sup> day of April, 20 10.

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

Before the Board of Vocational Nurse Examiners  
In and for the State of Texas

In the matter of Permanent  
License Number 108118 issued  
to TAB B. BROWN

ORDER OF THE BOARD

To: Tab B. Brown  
1518-B Calle Sur  
Hobbs, New Mexico 88240

WHEREAS, TAB B. BROWN has submitted to the Board her affidavit that she no longer desires to be licensed as a vocational nurse and that she is voluntarily surrendering her license, the Board takes the following action:

ORDER

NOW, THEREFORE, IT IS ORDERED that license number 108118, heretofore issued to TAB B. BROWN, to practice vocational nursing in the State of Texas, be revoked without formal charges, Notice of Hearing, or a formal Hearing before the Board of Vocational Nurse Examiners.

Entered this the 21st day of July, 1986.

  
\_\_\_\_\_  
Joyce A. Hammer, R.N.  
Executive Director  
Board of Vocational Nurse Examiners

SWORN AND SUBSCRIBED to before me, the undersigned authority, on this the 21st day of July, 1986.

  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
Linda Rae Kent  
My Commission Expires 10-24-89

00. 22. 05

THE STATE OF TEXAS

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COUNTY OF TRAVIS

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NOW COMES the undersigned members of the Board of Vocational Nurse Examiners, on this the 21st day of July, 1986, who having heard the sworn statement executed by TAB B. BROWN, have determined that said TAB B. BROWN, has voluntarily surrendered her vocational nursing license number 108118 for revocation without the otherwise required formal charges, notice, or a hearing. Said license is hereby revoked by order of a majority of the members of the Board.

Victor W. Phang  
R. Loyd Harris, L.N.  
April M. Miller, R.N.  
Lela Marie Mills, L.N.  
Leila D. Seward, L.N.  
Mary Suzanne Wilkinson, L.N.

Sharon L. Johnson, L.N.  
Annie Mae Parker, L.N.  
Kathleen Hardy, L.N.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Applicant  
For Licensure  
TAB B. BROWN

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ORDER OF THE BOARD

TO: Tab B. Brown  
2400 Hackett #167  
Houston, Texas 77008

The Board of Nurse Examiners for the State of Texas in a regularly scheduled meeting held on the 27th day of January, 1988, considered the conduct of TAB B. BROWN, Applicant for Licensure.

At the meeting, Mrs. Pauline Barnes, R.N., President of the Board, presided and the following members were present:

Mrs. Karen G. Barnes, R.N.  
Dr. Lynn C. Besselman  
Mrs. Mary Elizabeth Jackson  
Mrs. Mary Virginia Jacobs, R.N.

Dr. Teddy L. Langford, R.N.  
Dr. Eileen Piwetz, R.N.  
Mrs. A. Joanna Seamans, R.N.

Following receipt of information, TAB B. BROWN agreed to a Consent to Board Order from the Board of Nurse Examiners. Respondent was not present at the Board of Nurse Examiners scheduled hearing but did appear at a hearing before the Executive Secretary. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. TAB B. BROWN, hereinafter referred to as "Respondent", requests a license by endorsement to practice professional nursing in the State of Texas.

2. On or about July 21, 1986, Respondent's license to practice as a Licensed Vocational Nurse was revoked by the Board of Vocational Nurse Examiners for the State of Texas, Austin, Texas. Respondent had voluntarily surrendered his license to said Board due to problems with alcohol, marijuana and demerol.
3. On or about July 21, 1987, Respondent's license was reinstated by the Board of Vocational Nurse Examiners for the State of Texas. Upon said reinstatement, Respondent's license was suspended, suspension was stayed and placed on probation for a period of one (1) year. Respondent is in compliance with the Order of the Board issued by the Board of Vocational Nurse Examiners for the State of Texas.
4. On or about November 12, 1987, Respondent was issued a license to practice professional nursing by the New Mexico Board of Nursing, Albuquerque, New Mexico. Respondent's license was suspended for a period of three (3) years, suspension was stayed and placed on probation. Respondent is in compliance with said Order.
5. Respondent continues in individual therapy for substance abuse and attends AA regularly.
6. Respondent is currently employed as a Licensed Vocational Nurse with Hermann Hospital, Houston, Texas, under a Return to Work Contract.
7. Respondent desires to continue his career in professional nursing.

#### CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter.
2. Based upon the information received, Respondent is in violation of Article 4525 (a) (7) and (8), Revised Civil Statutes of Texas, as amended.

#### ORDER

IN VIEW OF THE FINDINGS OF FACT, it is hereby ordered that TAB B. BROWN be issued a license to practice professional nursing in Texas upon payment of the required fees. Said license shall be subject to the following stipulations for a minimum period of three (3) years or until dismissed from the probation by the New Mexico Board of Nursing.

(1) Respondent shall notify each employer/potential employer in professional nursing of this Order of the Board and the stipulations on his/her license by presenting a copy of this order to each potential employer. When employment is obtained, Respondent must cause the employer to submit the notification of employment form to the Board office.

(2) That during his employment as a professional nurse, each employer of TAB B. BROWN submit on forms provided by the Board of Nurse Examiners, periodic reports as to his capability to practice professional nursing, such reports are due at the office of the Board of Nurse Examiners at the end of each three months of employment for a minimum period of three (3) years from the date of this Order. If the place of employment changes, the Board of Nurse Examiners is to be notified immediately.

(3) The terms of this Order can be served only while Respondent is employed in the capacity of a registered nurse in a hospital, nursing home, or like employment, where the nurse is supervised. The nurse may not be employed by a nurse registry, temporary nurse employment agency or home health agency.

(4) Respondent shall completely abstain from the consumption or injection of controlled substances, except as prescribed by a duly licensed practitioner for a legitimate purpose. Respondent shall have sent to the Board of Nurse Examiners, in writing and within ten (10) days, by the prescribing physician or dentist, a report identifying the medication and dosage. Respondent shall submit to random periodic screens for controlled substances and alcohol at least once every month for a minimum period of three (3) months. If all the aforementioned screens test negative for controlled substances and

alcohol, then the screens shall be required at least once every three (3) months for the duration of the stipulation period. All screens shall be properly monitored and administered by Respondent's employer and personally observed by this individual or a trusted member of his/her staff. Respondent shall have written reports from the employer sent to the Board of Nurse Examiners concerning the results of the random periodic screens. If any sample tests positive for alcohol, narcotic, controlled substance or habit forming substance which Respondent has used without a prescription from a physician or dentist, they shall report the findings to the Board of Nurse Examiners immediately. Expenses encumbered by the screens shall be borne by Respondent.

(5) The Board of Nurse Examiners shall review reports regarding the practice of professional nursing by Respondent at the end of the stipulation period. It is understood that after the review, the Board may restore all rights and privileges incident to the license of Respondent, but may also extend or modify the stipulation terms, if extension or modification is warranted by evidence presented to the Board.

(6) Respondent shall participate in therapy and written reports as to his progress in therapy, rehabilitation and capability to practice professional nursing shall be submitted to the Board of Nurse Examiners, on forms provided by the Board, from his professional counselor, such reports are to be furnished each and every month for a minimum period of three (3) months. If all of the aforementioned reports are acceptable, then the reports shall be required at the end of each three (3) months for the duration of the probation period, or until dismissed from therapy.

(7) Respondent shall provide evidence of attendance of at least two (2) support group meetings per week. The weekly meetings shall consist of (a) a minimum of one (1) impaired nurse support group and (b) another local support group for substance abuse. Such evidence shall be submitted to the office of the Board of Nurse Examiners, on forms provided by the Board, at the end of each three (3) months for a minimum period of three (3) years.

(8) That, TAB B. BROWN shall comply in all respects with the Revised Civil Statutes of Texas, Article 4513 through 4528, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice of the Board of Nurse Examiners and the provisions of the terms of this Order of the Board.

The Board admonishes Respondent that the prime objective of the nursing profession is to render service to humanity and, whoever chooses this profession, assumes the obligation to conduct themselves in accordance with nursing standards and obey the laws of the State of Texas.

IT IS FURTHER ORDERED AND THE BOARD SO FINDS, in accordance with Article 6252-13a, 16(c), Revised Civil Statutes of Texas, as amended, that an imminent peril to the public health, safety, or welfare requires immediate effect of this Order and the same shall be effective on the date herein below rendered.

Entered this 27th day of January, 1988.

Certificate to Order of Board  
In the Matter of Applicant  
For Licensure  
TAB B. BROWN

The aforementioned Findings of Fact, Conclusions of Law and  
Order of the Board represent a final decision or Order duly made by the  
Board of Nurse Examiners in and for the State of Texas this the 27th  
day of January, 1988.

Caroline Barnes, R.N.  
President

Mary Elizabeth Jackson

Mary Virginia Jacobs, R.N.

Robert P. Pickett, R.N.

A. Joann Egan, R.N.

Debra C. Reschman, Ph.D.

John D. Bane, Ph.D.

Jeffrey Q.

Section 1601.15 of the Commission's Procedural Regulations provides that persons charged with employment discrimination, such as yourself, may submit a statement of position or evidence with respect to the allegations contained in this charge.

The Commission's Recordkeeping and Reporting Requirements are set forth at 29 CFR, Part 1602 (see particularly §1602.14(a) below) for Title VII of the Civil Rights Act; 29 CFR, Part 1627, for the Age Discrimination in Employment Act; and 29 CFR, Part 1620 for the Equal Pay Act. These Regulations generally require respondents to preserve payroll and personnel records relevant to a charge of discrimination until disposition of the charge or litigation relating to the charge. They also prescribe record retention periods -- in most cases, three years for basic payroll records and one year for personnel records. Questions regarding retention periods and the types of records to be retained should be resolved by reference to the regulations.

**§1602.14 Preservation of records made or kept.**

(a) . . . . . Where a charge of discrimination has been filed, or an action brought by the Commission or the Attorney General, against an employer under Title VII, the respondent employer shall preserve all personnel records relevant to the charge or the action. The term "personnel records relevant to the charge," for example, would include personnel or employment records relating to the aggrieved person and to all other aggrieved employees holding positions similar to that held or sought by the aggrieved person and application forms or test papers completed by an unsuccessful applicant and by all other candidates for the same position as that for which the aggrieved person applied and was rejected. The date of "final disposition of the charge or the action" means the date of expiration of the statutory period within which the aggrieved person may bring an action in a U.S. District Court or, where an action is brought against an employer either by the aggrieved person, the Commission, or by the Attorney General, the date on which such litigation is terminated.

**NOTICE OF NON-RETALIATION REQUIREMENTS**

Section 704(a) of the Civil Rights Act of 1964, as amended, and Section 4(d) of the Age Discrimination in Employment Act of 1967, as amended, states:

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this title, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title.

The Equal Pay Act of 1963 contains similar provisions. Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made.

**NOTICE REGARDING REPRESENTATION BY ATTORNEYS**

Although it is not necessary that you be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you are represented by an attorney we request that you provide the Commission with your attorney's name, address, and telephone number, and that you ask your attorney to write to the Commission confirming such representation.

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS  
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In the Matter of Permanent Certificate      §  
Number 543517 issued to                   §                    AGREED ORDER  
TAB BLANE BROWN                           §

By letter dated December 18, 1992, the Board of Nurse Examiners, hereinafter referred to as the Board, gave preliminary notice to TAB BLANE BROWN, hereinafter referred to as Respondent, of its intent to take disciplinary action with respect to registered nurse license number 543517. An investigation by the Board produced evidence indicating that Respondent may have violated Article 4525(a)(9), Revised Civil Statutes of Texas as amended.

A prehearing conference was held in the office of the Board on January 6, 1993, with Respondent in attendance as well as Louise Waddill, Ph.D., R.N., Executive Director; Lynn Besselman, Ph.D., Board Member; Penny Puryear Burt, General Counsel; Cady Crismon, M.S.N., R.N., CNS; Kathleen S. Lamm, Supervising Investigator; and Tim Houston, Investigator.

At the aforementioned conference, Respondent was not represented by legal counsel, although having been notified of rights regarding same.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. That Charges were filed by the Board on December 18, 1992.
3. That Charges were mailed to Respondent on December 18, 1992.
4. Respondent, on or about July 3, 1992, while employed with Cypress Fairbanks Medial Center, Houston, Texas, administered an incorrect amount of peritoneal solution (1000cc ordered, 2000cc infused) to patient number 1112713.
5. Respondent, on or about July 7, 1992, while employed at the aforementioned facility, failed to administer insulin as ordered to patient number 1079466.

6. Respondent, on or about July 9, 1992, while employed at the aforementioned facility, administered an incorrect dose of intravenous Aminophylline to patient number 1079466. The physician's order was 1GM/250cc, 2GM/250cc was given.
7. Respondent, on or about July 9, 1992, while employed at the aforementioned facility, administered twelve (12) units of regular insulin to patient number 1079466. The administration of this dose resulted in the patient receiving an extra dose of insulin. The prior dose had been administered and charted correctly.
8. On or about July 10, 1992, while employed at the aforementioned facility, Respondent administered Isordil 40mg two (2) hours earlier than ordered (administered at 8 a.m. instead of 10 a.m.) to patient number 1119007.
9. Respondent stated he has been diagnosed with epilepsy and is currently taking Tegretol, since December 10, 1992.

#### CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended the Board has jurisdiction over this matter.
2. That Charges were filed by the Board in accordance with law.
3. That Charges were served upon Respondent in accordance with law.
4. That the evidence received was conclusive to prove unprofessional or dishonorable conduct which, in the opinion of the board, is likely to deceive, defraud, or injure patients or the public.
5. That the activities of the Respondent constituted sufficient cause pursuant to Article 4525(a)(9), Revised Civil Statutes of Texas as amended, to take disciplinary action against license number 543517, heretofore issued to TAB BLANE BROWN.

After discussion of the matters previously outlined in this Order, it was agreed among the parties, subject to ratification by the Board of Nurse Examiners, that:

License Number 543517, heretofore issued to TAB BLANE BROWN to practice professional nursing in the State of Texas, be suspended for five (5) years. The suspension is to be enforced a minimum of six (6) months, effective the date of this Order. Respondent shall return his current certificate of re-registration (wallet-size) to the office of the Board within ten (10) days of the date of entry of this Order.

It is further agreed that upon receipt of documentation from a neurologist which states Respondent is seizure free and capable of practicing nursing safely, a license with the appropriate notation will be issued and the suspension probated for the remainder of the suspension period. The following probation conditions will apply:

(1) Respondent shall notify all potential employers in professional nursing of this Order of the Board and the stipulations on Respondent's license. Respondent shall present a copy of this Order to each potential employer prior to employment.

(2) Respondent shall cause each potential employer to submit the Notification of Employment form to the Board's office within five (5) days of employment as a professional nurse.

(3) During Respondent's employment as a professional nurse, Respondent shall cause each employer to submit, on forms provided by the Board, periodic reports as to Respondent's capability to practice professional nursing. These reports shall be submitted to the office of the Board at the end of each three months for the duration of the probation period. The reports shall be received by the office of the Board no later than the due date indicated on the report form.

(4) The terms of this Order can only be served while Respondent is employed as a professional nurse in a hospital, nursing home, or other clinical practice setting. The Respondent shall be supervised by a professional nurse who is on the premises. 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 or home health agency. Respondent shall not be self employed. Multiple employers are prohibited.

(5) Respondent shall not practice as a professional nurse in any critical care areas for one (1) year of employment as a professional nurse. Critical care areas include but are not limited to intensive care unit, emergency room, operating room, recovery room and labor and delivery units.

(6) Respondent 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 assigned unit(s) for one (1) year of employment as a professional nurse.

(7) Respondent shall not administer or have any contact with Controlled Substances, Nubain, or Stadol for one (1) year of employment as a professional nurse.

(8) Respondent shall abstain from the consumption of alcohol, Nubain, Stadol and/or the use of Controlled Substances, except as prescribed by a licensed practitioner for a legitimate purpose. 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 to the office of the Board within ten (10) days of the date of the prescription.

(9) Respondent shall submit to random periodic screens for Controlled Substances and alcohol at least once every week, for three (3) months. The screens shall then be required at least once every month for three (3) months. The screens shall then be required at least once every three (3) months for the duration of the probation period. All screens shall be properly monitored and production of specimen personally observed by the employer's designee. A complete chain of custody shall be maintained for each specimen obtained and analyzed. Respondent shall cause the employer/laboratory to send written laboratory results of the screens to the office of the Board. If any specimen tests positive for alcohol and/or Controlled Substances, for which Respondent does not have a valid prescription, the employer/laboratory shall report such results to the Board immediately. The results shall be received by the office of the Board no later than the due date.

(10) Respondent shall participate in therapy with a "professional counselor" possessing credentials approved by the Board. Respondent shall cause the therapist to submit written reports, on forms provided by the Board, as to the Respondent's progress in therapy, rehabilitation and capability to safely practice professional nursing. The report must indicate that the Respondent's emotional stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months or until Respondent is dismissed from therapy. The reports shall then be required at the end of each three (3) months for the duration of the probation period, or until Respondent is dismissed from therapy. The original forms shall be received in the Board's office no later than the due date indicated on the report form.

(11) Respondent shall attend at least two (2) support group meetings each week and shall provide acceptable evidence of attendance. Acceptable evidence means the date of each meeting, the name of each group attended, and the signature or signed initials of the chairperson of each group attended by Respondent. The weekly meetings shall consist of a minimum of one (1) impaired nurse support group and one (1) support group for substance abuse. Respondent shall submit the required evidence on the original forms provided by the Board at the end of every three (3) months for the duration of the probation period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence. The original forms shall be received in the Board's office no later than the due date indicated on the report form.

(12) Respondent shall cause his neurologist to submit written reports to the Board indicating the Respondent's compliance with the treatment plan for the Respondent's epilepsy. The reports are to be submitted quarterly for one (1) year, semi-annually for the following two (2) years, and then annually for the duration of the probation period.

I have reviewed this Agreed Order. I consent to the issuance of this Order of the Board and all terms and conditions contained herein. I understand that I have the right to legal counsel prior to entering into this Agreed Order. I hereby waive my right to a hearing and judicial review of this Order. By my signature on this Order, I neither admit or deny the truth of the matters previously set out in this Order. I agree to the entry of an Order dispensing with the need for further disciplinary action in this matter.

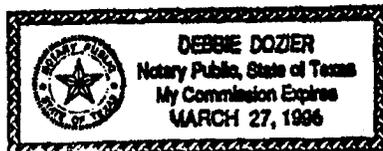
Dated this 14 day of January, 1993.

*[Signature]*  
TAB BLANE BROWN

Sworn to before me this 14 day of January, 1993.

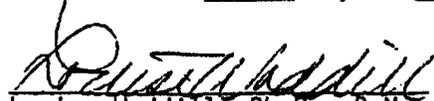
SEAL

*[Signature]*  
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 Agreed Order signed by TAB BLANE BROWN, license number 543517, on the 14th day of January, 1993, and said Order is final.

Entered this 20th day of January, 1993.

  
Louise Waddill, Ph.D., R.N.  
Executive Director on behalf  
of said Board