



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia P. Thomas
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate
Number 544058 issued to
JANE PATRICIA BAUERSFELD

544058

CONSENT ORDER

Following receipt of information, a hearing was held on April 1, 1992, at the office of the Board of Nurse Examiners, hereinafter referred to as the Board, in accordance with Article 4525(b), Revised Civil Statutes of Texas, as amended. JANE PATRICIA BAUERSFELD, license number 544058, hereinafter referred to as Respondent, was in attendance. The Executive Director of the Board presided at the hearing and makes the following:

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent, while employed with Health Care Rehabilitation Hospital, Austin, Texas, engaged in the intemperate use of codeine, on or about December, 1991.
3. Respondent, while employed at Sierra Health Care Center, engaged in the intemperate use of Fiorinal, on or about February, 1992.
4. Respondent desires to continue her career in professional nursing.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter.
2. Based upon the evidence received, Respondent is in violation of Article 4525(a) (8), Revised Civil Statutes of Texas, as amended.
3. The evidence presented constitutes sufficient evidence to take action under powers granted by Article 4525(b), Revised Civil Statutes of Texas, as amended.

RESPONDENT'S STATEMENT OF AGREEMENT

By signature on this Order, I agree to entry of this Order dispensing with the need for further disciplinary action in this matter. I understand that:

1. This Order is subject to ratification by the Board at their next regularly scheduled meeting;
2. If this Order is ratified by the Board, my license to practice professional nursing in the State of Texas will be issued a reprimand with stipulations; and
3. I have the right to legal counsel prior to entering into this Order.

I have reviewed this Order. I consent to the issuance of a reprimand on my license to practice professional nursing in the State of Texas.

I further consent to adhere to the following stipulations for three (3) years:

(1) Respondent shall return her current certificate of re-registration (wallet-size) to the office of the Board immediately for appropriate notation.

(2) Respondent shall cause Cocoon Aftercare Treatment Program to submit a written report to the Board office, as to Respondent's progress in therapy, rehabilitation and capability to safely practice professional nursing. Said report must be submitted to the Board's office within six (6) months from the date of this Order.

(3) Respondent shall submit to a neuropsychiatric evaluation supervised by a Board certified psychiatrist within six (6) months from the date of this Order. Respondent shall cause the supervising psychiatrist to

submit the result of the neuropsychiatric evaluation to the Board's office within six (6) months from the date of the Board Order.

(4) Respondent shall notify each present employer 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 present employer within five (5) days of notification of this Order. 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.

(5) Respondent shall cause each present employer in professional nursing to submit the Notification of Employment form to the Board's office within ten (10) days of notification of this Order. 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.

(6) 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 three (3) years of employment as a professional nurse. The reports shall be received by the office of the Board no later than the due date indicated on the report form.

(7) 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.

(8) Following entry of this Order, 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.

(9) Following entry of this Order, 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.

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

(11) 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.

(12) 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

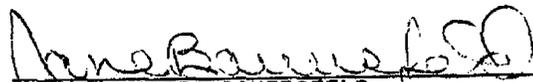
three (3) months. The screens shall then be required at least once every three (3) months for the duration of the stipulation period. All screens shall be properly monitored and production of specimen personally observed by the employer's designee. A complete chain of custody shall be maintained for 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.

(13) 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 stipulation 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.

(14) 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

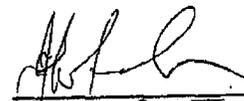
attended, and the signature or signed initials of the chairperson of each group attended by Respondent. The weekly meetings shall consist of a minimum of one (1) impaired nurse support group and one (1) support group for substance abuse. Respondent shall submit the required evidence on the original forms provided by the Board at the end of every three (3) months for a period of three (3) years. 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.

Dated the 22 day of April, 1992



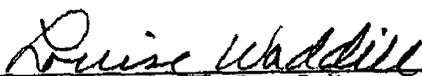
JANE PATRICIA BAUERSFELD

Sworn to before me this 22 day of April, 1992

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 Consent Order signed by JANE PATRICIA BAUERSFELD, license number 544058, on the 22nd day of April, 1992, and said Order is final.

Entered this 19th day of May, 1992.



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 544058 issued to §
JANE P. BAUERSFELD §

ORDER OF THE BOARD

To: Jane P. Bauersfeld
5402 C Rose Hill Circle
Austin, Texas 78745

The Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, during a regularly scheduled meeting, accepted the voluntary surrender of professional nurse license number 544058, issued to JANE P. BAUERSFELD. This action was taken in accordance with Article 4525(b), Revised Civil Statute of Texas, as amended.

At the meeting, Morris H. Parish, Ph.D., President of the Board, presided and a quorum of the Board was present. The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. That Jane P. Bauersfeld holds a license to practice professional nursing in the State of Texas, which is in delinquent status.
2. That Jane P. Bauersfeld submitted a notarized statement and professional nurse license number 544058 to the Board voluntarily surrendering the right to practice professional nursing in Texas.

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, under Article 4525(b), Revised Civil Statutes of Texas, as amended, the Board has the authority to revoke said license without the necessity of formal charges, notice, or opportunity of hearing.

ORDER

NOW, THEREFORE, IT IS ORDERED that license number 544058, heretofore issued to JANE P. BAUERSFELD to practice professional nursing in the State of Texas be and the same is hereby revoked.

Entered this 22nd day of September, 1992.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent	§	
Certificate Number: 544058	§	AMENDED REINSTATEMENT
Issued to:	§	AGREED ORDER
JANE PATRICIA BAUERSFELD	§	

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 544058, held by JANE PATRICIA BAUERSFELD, hereinafter referred to as Petitioner.

An informal hearing was held on July 6, 1994, at the office of the Board of Nurse Examiners. Petitioner appeared in person. In attendance were Cady Crismon, M.S.N., R.N., C.N.S., Director of Practice and Compliance; Pettey Ross, Board Member; Roy Rawls, Assistant General Counsel; and Norma Rodriguez, Investigator.

FINDINGS OF FACT

1. Petitioner was licensed to practice professional nursing in the State of Texas.
2. Petitioner's license to practice professional nursing in the State of Texas was voluntarily surrendered to the Board of Nurse Examiners for the State of Texas, on or about September 22, 1992.
3. On or about June 17, 1994, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
4. Petitioner attended an inpatient treatment program, has maintained sobriety since February 13, 1993, has attended group counseling sessions on a regular basis, and attends Alcoholics Anonymous meetings several times a week.
5. Re-entry into nursing practice will be a stressful experience and petitioner will benefit from the support of stipulations.

CONCLUSION OF LAW

1. That pursuant to applicable Texas law, the Board of Nurse Examiners for the State of Texas has jurisdiction over this matter.
2. That pursuant to Article 4525(c)(2), Revised Civil Statutes of Texas, as amended, the Board may reissue a license to practice professional nursing to a person whose license has been revoked, suspended, or surrendered.
3. That pursuant to Article 4525(d), the Board shall have right to probate the denial of an application for a license so long as the probated practitioner conforms to such stipulations as the Board may set out in terms of the probation.

AGREED TERMS, STIPULATIONS AND CONDITIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that license number 544058, heretofore issued to JANE PATRICIA BAUERSFELD, to practice professional nursing in the State of Texas, be and the same is hereby reinstated upon receipt of payment of re-registration fees.

(1) Petitioner shall comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, art. 4513 et. seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 et. seq. and the Terms, Stipulations and Conditions of this Order.

IT IS FURTHER AGREED, that the license issued to JANE PATRICIA BAUERSFELD, be subject to the following stipulations for three (3) year(s) of employment as a professional nurse:

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

(3) PETITIONER 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.

(4) PETITIONER shall be supervised by a registered nurse who is on the premises. PETITIONER shall work only regularly assigned, identified and predetermined unit(s). PETITIONER shall not be employed by a nurse registry, temporary nurse employment agency or home health agency. PETITIONER shall not be self employed or contract for services. Multiple employers are prohibited.

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

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

(7) 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 unit, emergency room, operating room, recovery room and labor and delivery units.

(8) PETITIONER shall not administer or have any contact with controlled substances, Nubain, or Stadol for one (1) year of employment as a professional nurse.

(9) PETITIONER 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. 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.

(10) PETITIONER shall submit to random periodic screens for controlled substances and alcohol.

For the first three (3) month period, random screens are to be performed at least once per week.

For the second three (3) month period, random screens are to be performed at least once per month.

For the remainder of the stipulation/probation period, random screens are to be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Methaqualone
Barbiturates	Opiates
Benzodiazepines	Phencyclidine
Cocaine Metabolites	Propoxyphene
Hydrocodone	Meperidine
Marijuana Metabolites	Ethanol
Methadone	

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.

PETITIONER shall cause the employer/laboratory to send the written results of each random screen to the Office of the Board within five (5) days of the date that the screen is analyzed. If any screen tests positive for alcohol and/or controlled substances for which the PETITIONER does not have a valid prescription, the employer/laboratory shall report such results to the Board Office on the day that the results are received by calling the Board Office and reporting the positive results to an investigator.

(11) 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 RESPONDENT's progress in therapy, rehabilitation and capability to safely practice professional nursing. The report must indicate whether or not 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 PETITIONER is dismissed from therapy. The reports shall then be required at the end of each three (3) months for the duration of the stipulation, or until PETITIONER is dismissed from therapy.

(12) PETITIONER 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 PETITIONER. The weekly meetings shall consist of a minimum of one (1) support group for substance abuse. 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.

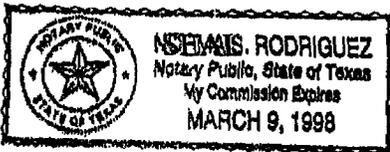
PETITIONER'S CERTIFICATION

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 truth of the matters previously set out. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Terms, Stipulations and Conditions. I waive my right to a hearing and judicial review of this Order. I understand that this Order is subject to ratification by the Board and becomes effective when signed by the Executive Director of the Board.

Dated this 31 day of Aug 1994

Jane Patricia Bauersfeld
JANE PATRICIA BAUERSFELD

Sworn to and subscribed before me this 31 day of Aug, 1994



Nseimis Rodriguez
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 JANE PATRICIA BAUERSFELD, license number 544058, on the 31st day of August, 1994, and said Order is final.

Signed this 13th day of September, 1994.


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