



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 Registered Nurse
License Number 640879
issued to GORDON JOSLIN

§
§ AGREED
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of GORDON JOSLIN, Registered Nurse License Number 640879, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9),(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on August 25, 2008, 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 representation by counsel, informal conference, 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 an Associate Degree in Nursing from El Centro College, Dallas, Texas on December 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on June 17, 1997.
5. Respondent's professional nursing employment history includes:

6/97-4/98	RN	VITAS Hospice Dallas, Texas
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Respondent's professional nursing employment history continued:

5/98-2/99	RN	Parkview Regional Hospital Mexia, Texas
3/99-3/07	RN	Providence Health Center Waco, Texas
9/02-1/03	ADON	Lake Shore Village Nursing & Rehab Waco, Texas
4/07-Present	RN	Goodall-Witcher Healthcare Foundation Clifton, Texas

6. On May 21, 1997, Respondent was issued an Order of Conditional Eligibility by the Board of Nurse Examiners for the State of Texas. A copy of the Order of Conditional Eligibility by the Board of Nurse Examiners for the State of Texas dated May 21, 1997, is attached and incorporated, by reference, as part of this Order.
7. At the time of the initial incident, Respondent was employed with Providence Health Center, Waco, Texas, and had been in this position for approximately seven (7) years and seven (7) months.
8. On or about October 1, 2006, through November 14, 2006, while employed with Providence Health Center, Waco, Texas, Respondent withdrew Morphine from the medication dispensing system for patients, but failed to completely and accurately document the administration of the medication in the patients' Medication Administration Records (MARs) and/or Nurses Notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on his documentation to further medicate the patient which could result in an overdose.
9. On or about October 1, 2006, through November 14, 2006, while employed with Providence Health Center, Waco, Texas, Respondent withdrew Morphine from the medication dispensing system for patients, but failed to follow the policy and procedure for the wastage of the medication. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
10. On or about October 1, 2006, through November 14, 2006, while employed with Providence Health Center, Waco, Texas, Respondent misappropriated Morphine belonging to the facility. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

11. On or about November 17, 2006, while employed with Providence Health Center, Waco, Texas, Respondent engaged in the intemperate use of Morphine and Hydromorphone in that he produced a specimen for drug screening which resulted positive for Morphine and Hydromorphone. Possession of Morphine and Hydromorphone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Morphine and Hydromorphone 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.
12. On or about February 25, 2007, while employed with Providence Health Center, Waco, Texas, Respondent misappropriated Morphine in that he admitted to taking Morphine out of the sharps container. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
13. On or about February 25, 2007, while employed with Providence Health Center, Waco, Texas, Respondent engaged in the intemperate use of Morphine in that he produced a specimen for drug screening 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.
14. Regarding the conduct outlined in Findings of Fact Numbers Eight (8) through Thirteen (13), Respondent states that they are "accurate and true."
15. On or about August 30, 2007, while employed with Goodall-Witcher Healthcare Foundation, Clifton, Texas, Respondent engaged in the intemperate use of Propoxyphene in that he produced a specimen for drug screening which resulted positive for Propoxyphene. Possession of Propoxyphene is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Propoxyphene 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.
16. Regarding the conduct outlined in Finding of Fact Number Fifteen (15), Respondent states that two nights before the drug test was administered, he asked a friend for an Ibuprofen. He was handed a pill which he thought was Ibuprofen. Respondent adds that it does not eliminate his responsibility and that he is aware he must remain ever vigilant in regard to his recovery.

17. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
18. 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.
19. Respondent's conduct described in Finding of Fact Numbers Eight (8) through Thirteen (13), and Fifteen (15) resulted from Respondent's dependency on chemicals.
20. 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 violation of Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11 (1)(A),(B)&(D) and §217.12(1)(A)&(B),(4),(6)(G),(10)(A),(C)&(D),&(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 640879, heretofore issued to GORDON JOSLIN, 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 GORDON JOSLIN, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order for appropriate notation.

(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 five hundred dollars (\$500) 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 his 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 multistate licensure 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 revocation of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

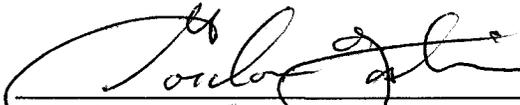
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RESPONDENT'S CERTIFICATION

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

Signed this 15 day of November, 2008.

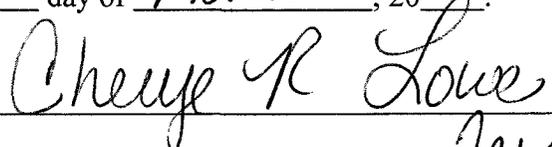


GORDON JOSLIN, Respondent

Sworn to and subscribed before me this 15 day of November, 2008.

SEAL



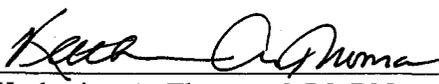


Notary Public in and for the State of Texas

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 15th day of November, 2008, by GORDON JOSLIN, Registered Nurse License Number 640879, and said Order is final.

Entered and effective this 18th day of November, 2008.




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
Gordon Lee Joslin

Petitioner for Eligibility for
Licensure

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ORDER
OF
CONDITIONAL ELIGIBILITY

A public meeting was held on April 29, 1997, by the Eligibility and Disciplinary Committee of the Board of Nurse Examiners, at 333 Guadalupe, Tower III, Suite 460, Austin, Texas, in which the Petition for Declaratory Order of Gordon Lee Joslin, hereinafter referred as Petitioner, was considered.

In attendance were: Board Members -- Kenneth W. Lowrance, MS, RN, CS, FNP-C; Mary Letrice Kemp Brown, RN; and Nancy Boston, Consumer Member. Staff present were William E. Hopkins, General Counsel; Penny Puryear Burt, Of Counsel; Anthony L. Diggs, Director of Investigations; Cheryl Sepulveda, Legal Assistant; and Wendy McRoberts, Administrative Assistant. Petitioner appeared in person and was not represented by counsel.

FINDINGS OF FACT

1. On or about October 29, 1996, Petitioner submitted a Petition for Declaratory Order in compliance with Article 4519a(a), Texas Revised Civil Statutes, Annotated, as amended.
2. On or about December 12, 1996, Petitioner graduated from an Associate Degree Nursing Program at El Centro College, Dallas, Texas.
3. On or about December 23, 1996, Petitioner submitted an Application for Initial Licensure for Graduates of Schools in the United States.
4. Petitioner waived representation, notice and hearing.

5. On or about August 25, 1986, in the 144th Judicial District Court, Bexar County, Texas, in Cause Number 86CR0170, Petitioner was convicted of the offense of Theft of Property Value Seven Hundred Fifty Dollars or Over and Less than Twenty Thousand Dollars. The offenses occurred (10 Counts) between April 13, 1985 and July 7, 1985. Petitioner was placed on probation for five years and Ordered to pay: Court Costs in the amount of \$100.00; Restitution in the amount of \$2,377.00; and a monthly supervisory fee of \$35.00. Petitioner was Ordered to report to and apply for drug treatment and/or diagnostic evaluation to the First Baptist Church of the Colony, Colony, Texas. Petitioner met the conditions of the Court and was dismissed from probation on or about October 15, 1991. Petitioner was 28 years old at the time of the offenses.
6. There is no evidence of any subsequent conviction.
7. Petitioner submitted the following letters of recommendation from:
 - Matt Wadsworth, Volunteer Coordinator, Vitas Healthcare Corporation, Denison, Texas;
 - Kathy Slaughter, Area of Volunteer Services, Vitas Healthcare Corporation, Denison, Texas;
 - Marsha Gaston, RN, Coordinator, J.E. Irving Healthcare System, Irving, Texas;
 - Perry K. Randall, Vocational Rehabilitation Counselor I, Dallas Central Field Office, Texas Rehabilitation Commission, Dallas, Texas;
 - James L. Wasinger, Irving, Texas; and
 - Davyc Ann Ballew, Mexia, Texas.
8. The Committee considered the evidence of Petitioner's felony conviction and evaluated the direct relationship of the crime committed by the Petitioner to the practice of nursing pursuant to the requirements of Article 6252-13c (b), Texas Revised Civil Statutes, Annotated, as amended, and the factors enumerated in 22 Texas Administrative Code, §213.28 (c), including but not limited to the nature and circumstances of the offenses and the absence of any conviction subsequent to the one listed in findings of fact number five (5) above.
9. The Committee considered the evidence of Petitioner's post-offense behavior, as submitted by Petitioner. In light of this evidence and the character factors set out in 22 Texas Administrative Code, § 213.27(b), the Committee determined that Petitioner has exhibited an ability to conform his conduct to the requirements of the penal laws, the Nursing Practice Act and general nursing standards.
10. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading, will be considered and may result in an ultimate determination of ineligibility prior to licensure or the later revocation of a license deemed to have been obtained through misrepresentation.

11. In consideration of Petitioner's past conduct and subsequent evidence of rehabilitation, the Committee finds that Petitioner should be declared conditionally eligible to take the National Council Licensure Examination for Registered Nurses.
12. The Committee further finds that the stipulations hereinafter set forth are necessary to assure that the public will be protected and that the Petitioner will continue to conform his conduct to the requirements of the law and the Board's practice standards.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Article 4525(a) Texas Revised Civil Statutes, Annotated, as amended.
2. Petitioner has submitted a petition in compliance with Article 4519a(a), TEX. REV. CIV. STAT. ANN., as amended.
3. Petitioner's criminal history reflects a felony conviction which is a ground for denial of a license under Article 4525(b)(3), TEX. REV. CIV. STAT. ANN., as amended.
4. The Board may license an individual who has been previously convicted of a crime upon consideration of the factors set out in 22 Texas Administrative Code, §213.28 and evaluating the direct relationship to nursing according to Article 6252-13c(b) TEX. REV. CIV. STAT. ANN., as amended.
5. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code, §213.27, the Board is satisfied that the individual is able to consistently conform his conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice including, but not limited to, behavior indicating: honesty, accountability, trustworthiness, reliability and integrity.

NOW, THEREFORE, IT IS ORDERED that upon payment of any required fees, Gordon Lee Joslin is conditionally eligible to sit for the National Council Licensure Examination for Registered Nurses.

IT IS FURTHER ORDERED that Petitioner SHALL immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Article 4525, TEX. REV. CIV. STAT. ANN., as amended. In the absence of any fact or event constituting a ground for

refusal and upon attaining a passing grade on the NCLEX-RN, Petitioner shall be issued a CODED LICENSE to practice nursing in the State of Texas. Petitioner's license shall be subject to the following STIPULATIONS:

1. Within one year of Petitioner's initial licensure date, Petitioner shall successfully complete a Board approved course in Nursing Jurisprudence.
2. Within one year of Petitioner's initial licensure date, Petitioner shall successfully complete a Board approved course in ethics with a special emphasis on personal and professional responsibility and respect for interpersonal boundaries and the rights and property of others.

Petitioner's license shall be subject to the following stipulations for TWO (2) YEARS. Stipulations, number three (3) and number four (4), may only be satisfied while Petitioner is employed as a registered nurse in a clinical practice setting.

3. Petitioner SHALL notify each present employer in professional nursing of this Order of the Board and the stipulations of Petitioner's license. Petitioner SHALL present a copy of this order to each present employer within five (5) days of notification of this Order. Petitioner SHALL notify all potential employers in professional nursing of this Order of the Board and the stipulations on Petitioner's license. Petitioner SHALL present a copy of this Order to each potential employer prior to employment.
4. Petitioner 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. 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.

IT IS FURTHER ORDERED that Petitioner shall comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, as amended, Article 4513 et seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 Texas Administrative Code, §211.01 et seq. and this Order.

IT IS FURTHER ORDERED that upon full compliance with the terms of this Order, Petitioner may be issued an unencumbered license to practice professional nursing in the State of Texas.

PETITIONER'S CERTIFICATE

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past convictions and I have caused a complete and accurate criminal history to be submitted to the Board of Nurse Examiners from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Petition for Declaratory Order 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 conviction such as conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

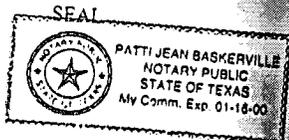
In connection with my petition, I acknowledge that I have read and I understand Article 4519a and Article 4525(a) and (b), Texas Revised Civil Statutes, Annotated, as amended, and Board Rules 213.27 and 213.28 at 22 Texas Administrative Code which are incorporated by reference as a part of this Order. I agree with all terms of this Order including the Findings of Fact and Conclusions of Law and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to registering for the NCLEX-RN or accepting any permit or license from the Board of Nurse Examiners.

I understand that I may be represented by an attorney in this matter. I waive representation, notice and hearing and request that the Executive Director of the Board of Nurse Examiners enter this Order.

Signed this 14th day of May, 1997.


GORDON LEE JOSLIN

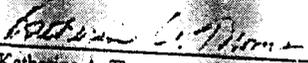
Sworn to and subscribed before me by the said Gordon Lee Joslin this 14th day of May, 1997.




Notary Public in and for the State of _____

Entered this 21st day of May, 19 97

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS


By: Katherine A. Thomas, MN, RN
Executive Director

- Attachments: [1] Article 4519a, Texas Revised Civil Statutes, Annotated, as amended
[2] Article 4525(a) and (b), Texas Revised Civil Statutes, Annotated, as amended
[3] Rule 213.27, 22 Texas Administrative Code
[4] Rule 213.28, 22 Texas Administrative Code