



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 A. Plummer*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED  
Registered Nurse License Number 237999 §  
issued to RUBY KOVAR § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RUBY KOVAR, Registered Nurse License Number 237999, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

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

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree from Alvin Junior College, Alvin, Texas on December 1, 1974. Respondent was licensed to practice professional nursing in the State of Texas on September 1, 1976.
5. Respondent's professional nurse employment history includes:

9/76-1/80                      Unknown

Respondent's professional nurse employment history continued:

2/80-7/93	RN	Seton Medical Center Austin, Texas
7/93-2/06	RN	Heartwood Taylor, Texas
1995-1998	RN	Oakcrest Manor Austin, Texas
2800-4/08	RN	Taylor Care Center Taylor, Texas
4/08-12/11	RN	Will-O-Bell Bartlett, Texas
1/12-Present	Unknown	

6. On or about November 15, 1978, Respondent was issued a Reprimand through an Order of the Board by the Board of Nurse Examiners for the State of Texas. A copy of the Complaint, Findings of Fact, Conclusions of Law, and Order of the Board dated November 15, 1978, is attached and incorporated, by reference, as part of this Order.
7. On or about April 18, 2011, Respondent was issued the sanction of Remedial Education with a Fine through an Agreed Order by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated April 18, 2011, is attached and incorporated, by reference, as part of this Order.
8. At the time of the initial incident in Finding of Fact Number Nine (9), Respondent was employed as a Registered Nurse with Will-O-Bell, Bartlett, Texas and had been in this position for approximately three (3) years and eight (8) months.
9. On or about December 6, 2011, through December 7, 2011, while employed with Will-O-Bell, Bartlett, Texas, Respondent lacked fitness to practice professional nursing in that she exhibited impaired behavior while on duty that included, but is not limited to: being forgetful, unable to give report, slurring speech, unable to stay focused, feeling faint and falling asleep. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

10. On or about December 6, 2011, through December 7, 2011, while employed with Will-O-Bell, Bartlett, Texas, Respondent engaged in the intemperate use of Xanax, in that she admitted to her Charge Nurse that she had taken a Xanax. Respondent then submitted a specimen for drug screening which resulted positive for Opiates. Unlawful possession of Xanax is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Xanax 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.
11. In response to Findings of Fact Number Nine (9) and Ten (10), Respondent states she started retirement benefits in January 2012 and has been receiving social security disability since June 2012. Respondent claims her medical issues and her pain has gotten worse over the last 3-4 years. Respondent explains she does not foresee herself returning to work as a nurse and does not plan on renewing her license.
12. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.
13. 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.
14. 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 violation(s) of 22 TEX. ADMIN. CODE §217.12 (1)(E),(4),(5),(10)(A),(10)(D)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(12), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 237999, heretofore issued to RUBY KOVAR, including revocation of Respondent's

license(s) 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 Nurse License Number 237999, heretofore issued to RUBY KOVAR, 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 nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
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.

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 violation(s) 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.

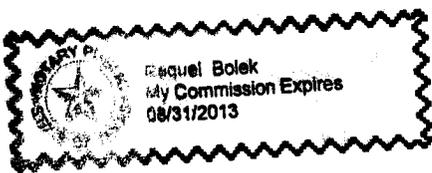
Signed this 19 day of March, 2013.

Ruby Kovar  
RUBY KOVAR, Respondent

Sworn to and subscribed before me this 19<sup>th</sup> day of March, 2013.

SEAL

Raquel Bolek  
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 237999, previously issued to RUBY KOVAR.

Effective this 20<sup>th</sup> day of March, 2013.



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse           §     AGREED  
License Number 237999                       §  
issued to RUBY KOVAR                       §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RUBY KOVAR, Registered Nurse License Number 237999, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 28, 2011, 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(s).
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Alvin Junior College, Alvin, Texas, on December 1, 1974. Respondent was licensed to practice professional nursing in the State of Texas on September 1, 1976.
5. Respondent's professional nursing employment history is unknown.
6. On or about November 28, 2007, Respondent submitted a License Renewal Form to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgement/punishment/action?"

Respondent failed to disclose that, on or about August 14, 2007, Respondent was arrested by the Taylor Police Department, Taylor, Texas, for POSS CS PG3<28G (Class A misdemeanor offenses), and that the criminal charges were still pending at the time that Respondent submitted her Renewal to the Board.

Respondent failed to disclose that, on or about August 14, 2007, Respondent was arrested by the Taylor Police Department, Taylor, Texas, for POSS DANGEROUS DRUG (Class A misdemeanor offenses), and that the criminal charges were still pending at the time that Respondent submitted her Renewal to the Board.

Respondent failed to disclose that, on or about August 14, 2007, Respondent was arrested by the Taylor Police Department, Taylor, Texas, for POSS DANGEROUS DRUG (Class A misdemeanor offenses), and that the criminal charges were still pending at the time that Respondent submitted her Renewal to the Board.

7. In response to Finding of Fact Number Six (6), Respondent states: Given the rationale behind the dismissal of the Respondent's 2007 charges, and that they were dismissed with prejudice, a reasonable person in her situation would have believed them not to have been covered by the disclosure request. Respondent's current attorney informed her that the charges were to be dismissed with prejudice, and she must have misunderstood this to mean it was not necessary to include them on her application.

#### 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)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I).
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 237999, heretofore issued to RUBY KOVAR, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

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(1) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*  
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 6<sup>th</sup> day of April, 2011.

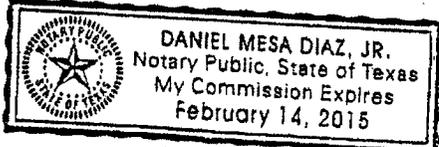
Ruby Kovar  
RUBY KOVAR, Respondent

Sworn to and subscribed before me this 6<sup>th</sup> day of April, 2011.

SEAL

[Signature]

Notary Public in and for the State of Texas



Approved as to form and substance.

[Signature]  
RENE VARGAS, Attorney for Respondent

Signed this 6<sup>th</sup> day of April, 2011.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

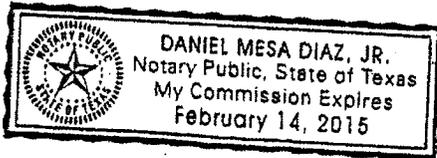
Signed this 6<sup>th</sup> day of April, 2011.

Ruby Kovar  
RUBY KOVAR, Respondent

Sworn to and subscribed before me this 6<sup>th</sup> day of April, 2011.

SEAL

[Signature]  
Notary Public in and for the State of Texas



Approved as to form and substance.

[Signature]  
RENE VARGAS, Attorney for Respondent

Signed this 6<sup>th</sup> day of April, 2011.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 6<sup>th</sup> day of April, 2011, by RUBY KOVAR, Registered Nurse License Number 237999, and said Order is final.



Effective this 18 day of April, 2011.

*Katherine A. Thomas*

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

BEFORE THE BOARD OF NURSE EXAMINERS  
IN AND FOR THE STATE OF TEXAS  
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COMPLAINT

Before me, the undersigned authority, on this date personally  
appeared Josie O'Quinn, R.N.

who after being by me duly sworn, did depose and say:

That on or about August 24, 1978 Ruby Selmer Kovar Leecraft, R.N. was employed by Nurse Finders and practicing professional nursing at Brackenridge Hospital, Austin, Texas.

That in arriving for duty at about 3:15 p.m. at the above hospital, the nurse in question smelled strongly of marijuana, and appeared to be under the influence of drugs.

That on or about 3:25 p.m. when leaving the above hospital, the said nurse had loud and slurred speech, flighty actions, and glassy eyes.

That the aforementioned actions constitute intemperate use of drugs or alcohol which endangers patients and unprofessional or dishonorable conduct which is likely to injure the public.

All of the foregoing are constitute grounds for the Board of Nurse Examiners to suspend, revoke or take such other action relating to the license to practice professional nursing in Texas of Ruby Selmer Kovar Leecraft, R.N. as provided in Article 4525a, Revised Civil Statutes of Texas, as amended.

Josie O'Quinn  
(Ms.) Josie O'Quinn, R.N.

Subscribed and sworn to before me by the said Josie O'Quinn, R.N. this 6 day of October

1978.

Lynn D. Stanley  
Notary Public in and for  
TRAVIS County, Texas

The foregoing complaint is hereby filed and docketed with the Board of Nurse Examiners and styled In the Matter of Permanent Certificate Number 2-37999 issued to Ruby Selmer Kovar Leecraft, R.N. this the 6<sup>th</sup> day of October, 1978.

Margaret L. Rowland  
(Mrs.) Margaret L. Rowland, R.N.  
Executive Secretary

BEFORE THE BOARD OF NURSE EXAMINERS  
IN AND FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate  
Number 2-37999 issued to RUBY SELMER  
KOVAR LEECRAFT

ORDER OF THE BOARD

TO: Ruby Selmer Kovar Leecraft  
3901-A Wrightwood  
Austin, Texas 78722

The Board of Nurse Examiners in and for the State of Texas in a regularly scheduled meeting, having set a Hearing to be held on November 15, 1978, to determine whether cause exists under Article 4525a (5) and (6), V.A.T.S., to suspend or revoke License No. 2-37999, heretofore issued to RUBY SELMER KOVAR LEECRAFT, pursuant to applicable Texas law.

At the Hearing, Mrs. Billie Bell, R.N., President of the Board presided and the following members were present:

Dr. Geddes McLaughlin, R.N.  
Mrs. Mary Virginia Jacobs, R.N.  
Sister Regis Maillian, R.N.  
Mrs. June Murphy, R.N.  
Dr. Barbara Woodard, R.N.

The Board of Nurse Examiners for the State of Texas was represented by Ace Pickens, Counsel to the Board. The respondent was present and was represented by Mr. William W. McNeal, Attorney. 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. That Sworn Complaint was filed with the Board of Nurse Examiners for the State of Texas in accordance with law.

That notice of hearing and complaint were served upon RUBY SELMER KOVAR LEECRAFT in accordance with law.

That the evidence was insufficient to prove intemperate use of drugs or alcohol or unprofessional or dishonorable conduct relating to same.

That there was evidence to indicate that the actions of such nurse on the day in question were not within acceptable professional standards.

#### CONCLUSIONS OF LAW

1. That pursuant to Article 4525, V.A.T.S., the Board of Nurse Examiners for the State of Texas has jurisdiction over this matter.
2. That the evidence presented did not constitute sufficient cause pursuant to Article 4525a (5) and (6), V.A.T.S., to suspend or revoke License No. 2-37999, heretofore issued to RUBY SELMER KOVAR LEECRAFT, to practice professional nursing in the State of Texas, however, under power granted by Article 4525b the Board does have power to issue a reprimand.

#### ORDER

NOW, THEREFORE, IT IS ORDERED that License Number 2-37999, heretofore issued to RUBY SELMER KOVAR LEECRAFT, to practice professional nursing in the State of Texas is not revoked nor suspended.

IT IS FURTHER ORDERED that all charges heretofore arising out of a complaint filed with the Board of Nurse Examiners mailed to the respondent and that were the subject of the Hearing be and the same are dismissed.

Although no action is hereby taken by the Board to revoke or suspend the respondent's license to practice professional nursing the Board does hereby remind the respondent that a professional nurse is responsible to provide nursing services whereby professional standards must be maintained. Each professional nurse must adhere to the responsibility, trust and obligations; to adhere to standards of professional competency; and to adhere to the legal and ethical practice and conduct in the profession. The Board would further remind the nurse in question that a nurse should not wear clothing or jewelry or cause to place on themselves aromatics that would or could be offensive to the patient she serves.

IT IS FURTHER ORDERED that the Board does hereby issue a reprimand for the conduct proven at the Hearing on this matter and admonishes her that the prime

The primary objective of the nursing profession is to render service to humanity and wherever  
needed this profession assumes the obligations to conduct themselves in  
accordance with its ideals as well as the obedience to the laws of the State of  
Texas.

Entered this 15th day of November, 1978.

The aforementioned Findings of Fact, Conclusions of Law and Order of  
this Board represent a final decision or order duly made by the Board of Nurse  
for the State of Texas this the 15th day of November, 1978.

John Woodard B.S. C.O.

Mary Virginia Jacobs, R.N.

James Murphy M.D.

James W. [unclear] R.N.

Arthur Agis M.D. J.D.

Billy Bell, R.N.  
President