BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of	§
Registered Nurse License Number 570014	§
issued to THOMAS KIPLINGER WILEY	§

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 570014, issued to THOMAS KIPLINGER WILEY, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.

2. Respondent informal proceedings, notice and hearing.

3. Respondent received an Associate Degree in Nursing from Northwestern Michigan College, Traverse City, Michigan, on June 7, 1987. Respondent was licensed to practice professional nursing in the State of Texas on June 25, 1991.

4. Respondent's nursing employment history includes:

8/09 - 1/13	Charge Nurse	Stonebridge Health Center Austin, Texas
2/13 - present	Unknown	

5. On February 10, 1998, Respondent was issued the sanction of a Reprimand with Stipulations through an Agreed Order by the Board. A copy of the February 10, 1998, Agreed Order, Finding of Fact, and Conclusions of Law and Order is attached and incorporated, by reference, as part of this Order.

6. On August 1, 2000, Respondent was issued the sanction of a Fine through an Agreed Order by the Board. A copy of the August 1, 2000, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On September 14, 2010, Respondent was issued the sanction of a Suspend/Probate through an Agreed Order by the Board. A copy of the September 14, 2010, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

8. Formal Charges were filed on October 28, 2013. A copy of the Formal Charges is attached and incorporated, by reference, as part of this Order.

9. Formal Charges were mailed to Respondent on October 30, 2013.

10. On December 13, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated December 10, 2013, is attached and incorporated, by reference, as part of this Order.

11. 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.

12. 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(11) (B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) and (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 570014, heretofore issued to THOMAS KIPLINGER WILEY, 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, 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 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 570014, heretofore issued to THOMAS KIPLINGER WILEY, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of 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 of registered nurse or the abbreviation RN or wear any insignia identifying himself 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.

Effective this 13 day of December, 2013.

TEXAS BOARD OF NURSING

By: Katherine A. Thomas

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

THOMAS KIPLINGER WILEY
931 Sycamore Creek Drive
Dripping Springs, Texas 78620
Registered Nurse License Number 570014

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Thomas Kiplinger Wiley
Date 12/10/13

Registered Nurse License Number 570014

The State of Texas

Before me, the undersigned authority, on this date personally appeared THOMAS KIPLINGER WILEY who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 9th day of December, 2013.

SEAL

Elizabeth Bland
Notary Public in and for the State of Missouri

ELIZABETH BLAND
Notary Public - Notary Seal
STATE OF MISSOURI
Carter County
Commission # 12387764
My Commission Expires: Aug. 26, 2016

In the Matter of	§	**BEFORE THE TEXAS**
Permanent Registered Nurse	§	
License Number 570014	§	
Issued to THOMAS KIPLINGER WILEY,	§	
Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, THOMAS KIPLINGER WILEY, is a Registered Nurse holding License Number 570014, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about November 28, 2011, March 29, 2012, April 17, 2012, and July 16, 2012, while employed with Stonebridge Health Center, Austin, Texas, Respondent failed to comply with the Agreed Order issued to him on September 14, 2010, by the Texas Board of Nursing. Noncompliance is the result of his failure to comply with Stipulation Number Nine (9) of the Agreed Order which states, in pertinent part:

> (9) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol....

A copy of the September 14, 2010, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE II.

On or about December 15, 2011, March 15, 2012, June 15, 2012, and September 15, 2012, while employed with Stonebridge Health Center, Austin, Texas, Respondent failed to comply with the Agreed Order issued to him on September 14, 2010, by the Texas Board of Nursing. Noncompliance is the result of his failure to comply with Stipulation Number Seven (7) of the Agreed Order which states, in pertinent part:

> (7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing....

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars ($1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

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NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order issued February 10, 1998, Agreed Order dated August 1, 2000, and Agreed Order issued September 14, 2010.

Filed this 28th day of October, 2013.

TEXAS BOARD OF NURSING

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Abel, Assistant General Counsel
State Bar No. 24036103
Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
John R. Griffith, Assistant General Counsel
State Bar No. 24079751
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Agreed Order dated February 10, 1998.
Agreed Order dated August 1, 2000.
Agreed Order dated September 14, 2010.

D/2012.06.19

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	
License Number 570014	§	AGREED
issued to THOMAS KIPLINGER WILEY	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of THOMAS KIPLINGER WILEY, Registered Nurse License Number 570014, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(9), Revised Civil Statutes of Texas, (eff. 9/1/1995), as amended, Article 4525(b)(9), Revised Civil Statutes of Texas, (eff. 9/1/1997), as amended, and Section 301.452(b)(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 26, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.

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

3. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent received an Associate Degree in Nursing from Northwestern Michigan College, Traverse City, Michigan, on June 7, 1987. Respondent was licensed to practice professional nursing in the State of Texas on June 25, 1991.

5. Respondent's professional nursing employment history is unknown.

6. On or about February 2, 1998, Respondent was issued the sanction of a REPRIMAND WITH STIPULATIONS by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated February 2, 1998, is attached and incorporated, by reference, as part of this Order.

7. On or about August 1, 2000, Respondent was issued the sanction of a FINE by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated August 1, 2000, is attached and incorporated, by reference, as part of this Order.

8. On or about June 9, 1997, Respondent entered a plea of Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on January 2, 1997), in the County Court at Law No. 3, Travis County, Texas, under Cause No. 472573. As a result of the conviction, Respondent was sentenced to confinement in the Travis County Jail for a period of ninety (90) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years. Additionally, Respondent was ordered to pay a fine and court costs. On or about June 3, 1999, a Motion to Revoke Community Supervision and an Order to show cause for non-revocation was entered in the County Court at Law No. 3 of Travis County, Texas. On or about August 4, 1999, An Order Continuing Defendant on Community Supervision was entered in the County Court at Law No. 3 of Travis County, Texas, subjecting Respondent to the following conditions: Continue and Discharge.

9. In response to Finding of Fact Number Eight (8), Respondent states these offenses were related to his past alcohol abuse.

10. On or about June 3, 1999, Respondent entered a plea of Nolo Contendere to ASSAULT-FAMILY VIOLENCE (a Class A misdemeanor offense committed on April 6, 1999), in the County Court at Law of Hays County, Texas, under Cause No. 55,097. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs. On or about June 8, 2000, Respondent was discharged from probation.

11. In response to Finding of Fact Number Nine (9), Respondent states the 1999 assault involved a minor incident between him and his wife. Even though his wife did not wish to press charges the prosecutor went forward and Respondent entered a plea, was placed on deferred adjudication, paid a fine, and was ordered to attend an anger management class.

12. On or about January 18, 2000, Respondent entered a plea of Guilty and was convicted of OUIL/OWI-2ND OFFENSE (a misdemeanor offense committed on December 26, 1999), in

the 86th District Court, Grand Traverse County, Michigan, under Cause No. 99-3406-SD-1. As a result of the conviction, Respondent was sentenced to confinement in the Grand Traverse County Jail for a period of ninety (90) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months. Additionally, Respondent was ordered to pay a fine and court costs.

13. In response to Finding of Fact Number Eleven (11), Respondent states these offenses were related to his past alcohol abuse.

14. On or about April 30, 2001, Respondent entered a plea of Nolo Contendere to FALSE REPORT TO A PEACE OFFICER (a Class B misdemeanor offense committed on September 5, 2000), in the County Court at Law No. 7, Travis County, Texas, under Cause No. 572245. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of eighteen (18) months. Additionally, Respondent was ordered to pay a fine and court costs. On or about November 25, 2002, Respondent was discharged from probation.

15. In response to Finding of Fact Number Thirteen (13), Respondent states his arrest for misdemeanor False Report to a Police Office occurred after he filed a report with the police that his car had been stolen when he genuinely could not find it the morning after he had parked. Subsequently, it was discovered parked where Respondent had left it and he was arrested by an angered Austin Police Department for what they felt was a frivolous report. This resulted in a no contest plea by Respondent, his placement on community supervision, and the payment of a fine.

16. 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 Article 4525(b)(9), Revised Civil Statutes of Texas, as amended, (eff. 9/1/1995), Article 4525(b)(9), Revised Civil Statutes of Texas, as amended, (eff. 9/1/1997), and Section 301.452(b)(10), Texas Occupations Code, (eff. 9/1/1999), and 22 TEX. ADMIN. CODE §217.13(1), (eff. 9/1/95), and 22 TEX. ADMIN. CODE §217.12(1) (eff. 9/1/1999).

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 570014, heretofore issued to THOMAS KIPLINGER WILEY, including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 570014, previously issued to THOMAS KIPLINGER WILEY, to practice professional nursing in Texas is hereby SUSPENDED for a period of one (1) year with the suspension STAYED and Respondent is hereby placed on PROBATION for one (1) year with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order the Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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.

(1) 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.

(2) 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.

(3) 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, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR ONE (1) YEAR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT

THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be

employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

(8) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, 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 directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(9) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period,

random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT's place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license,

the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license to practice nursing in the State of Texas and 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 16th day of July, 2010.

Tom Wiley

THOMAS KIPLINGER WILEY, Respondent

Sworn to and subscribed before me this ~~16th~~ 19th day of July, 2010.

Pinkie Henderson

SEAL

PINKIE D. HENDERSON
Notary Public, State of Texas
My Commission Expires
SEPT. 9, 2011

Notary Public in and for the State of Texas

Approved as to form and substance.

Dan Lyle

~~Louis Leichter~~, Attorney for Respondent

Signed this 19 day of July, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 16th day of July, 2010, by THOMAS KIPLINGER WILEY, Registered Nurse License Number 570014, and said Order is final.

Effective this 14th day of September, 2010.

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 License Number 570014	§	AGREED
issued to THOMAS KIPLINGER WILEY	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of THOMAS KIPLINGER WILEY, License Number 570014, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(1), Revised Civil Statutes of Texas, as amended. Respondent waived representation by counsel, informal conference, notice, hearing and agreed to the entry of this Order offered on May 11, 2000, 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 consented to the entry of this Order.

3. Respondent is currently licensed to practice professional nursing in Texas.

4. Respondent received an Associate Degree in Nursing from Northwest Michigan College, Traverse City, Michigan, in June 1987. Respondent was licensed to practice professional nursing in the State of Texas in June 1991.

5. On or about February 10, 1998, Respondent's license to practice professional nursing in the State of Texas was issued a Reprimand with Stipulations for two (2) years by the Board of Nurse Examiners for the State of Texas. A copy of the Agreed Order is attached and incorporated by reference as part of this Order.

6. Respondent's professional employment history includes:

6/87 - 8/87	Staff Nurse Medical/Surgical	Munson Medical Center Traverse City, Michigan
8/87 - 5/88	RN I Psychiatric Nurse	Traverse City Regional Psychiatric Hospital Traverse City, Michigan
5/88 - 9/91	RN II Psychiatric Nurse	Riverside Psychiatric Center Ionia, Michigan
9/91 - 8/92	RN Medical/Surgical	Spohn Hospital Corpus Christi, Texas
9/92 - 5/93	RN Medical/Surgical	Southside Community Hospital Corpus Christi, Texas
5/93 - 11/95	Charge Nurse Dialysis	Vivra Renal Care Corpus Christi, Texas
11/95 - 10/96	Nurse Manager Dialysis	Renal Treatment Center Austin, Texas
10/96 - 6/97	Unknown	
6/97 - 11/98	Staff Nurse	HealthSouth Rehabilitation Hospital Austin, Texas
11/98 - present	Not employed in nursing	

7. At the time of the incident, Respondent was employed as a Staff Nurse with HealthSouth Rehabilitation Hospital, Austin, Texas, and had been in this position for one (1) year and three (3) months.

8. On or about September 14, 1998, Respondent, while employed at HealthSouth Rehabilitation Hospital, Austin, Texas, failed to comply with the Order of the Board issued to him on February 10, 1998. Non-compliance was the result of Respondent withdrawing Meperidine 50mg from the Sure Med Medication System in order to administer the medication to Patient #196781. Respondent's conduct was prohibited by Stipulation Number 8 of the Order of the Board, which states: "RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan or other synthetic opiates for one (1) year of employment as a professional nurse."

9. Charges were filed on January 19, 2000.

10. Charges were mailed to Respondent on January 26, 2000.

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 of Article 4525(b)(1), TEX. REV. CIV. STAT. ANN.

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 570014, heretofore issued to THOMAS KIPLINGER WILEY, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a Fine, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED that:

(1) The Order of the Board issued to RESPONDENT on February 20, 1998, is still in effect in its entirety and RESPONDENT SHALL continue to be responsible for compliance with the terms of that Order.

(2) RESPONDENT SHALL pay a monetary fine in the amount of seven-hundred fifty dollars ($750.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order and Order of the Board issued to Respondent on February 20, 1998, RESPONDENT SHALL be issued an unencumbered license to practice professional 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 violation 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 27 day of July, 2000.

Thomas Kiplinger Wiley

THOMAS KIPLINGER WILEY, Respondent

Sworn to and subscribed before me this 27 day of July, 2000.

SEAL

MICHAEL L. JENSEN
Notary Public, State of Texas
My Commission Expires
JULY 9, 2002

Michael L. Jensen

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 27th day of July, 2000, by THOMAS KIPLINGER WILEY, License Number 570014, and said Order is final.

Effective this 1st day of August, 2000.

Katherine A. Thomas

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

JAN 0 6 1998

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Permanent Certificate	§	
Number 570014 issued to	§	AGREED ORDER
THOMAS KIPLINGER WILEY	§	

An investigation by the Board produced evidence indicating that THOMAS KIPLINGER WILEY, hereinafter referred to as Respondent, may have violated Article 4525(b)(12), Revised Civil Statutes of Texas, as amended.

An informal conference was held on October 1, 1996, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended.

Respondent appeared in person. Respondent was represented by Gary C. Riley, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; Sharon L. Sanders, Assistant Attorney General; Anthony L. Diggs, Director of Investigations; and Cynthia A. Smith, Investigator.

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 notice and hearing, and consented to the entry of this order.

3. Respondent is currently licensed to practice professional nursing in Texas.

4. Respondent received an Associate Degree in Nursing from Northwestern Michigan College, Traverse City, Michigan in June 1987.

5. Respondent's professional employment history includes:

June 1987 - August 1987	Staff Nurse, Medical/Surgical Munson Medical Center Traverse City, Michigan
August 1987 - May 1988	RN I Psychiatric Nurse Traverse City Regional Psychiatric Hospital Traverse City, Michigan
May 1988 - September 1991	RN II Psychiatric Nurse Riverside Psychiatric Center Ionia, Michigan
September 1991 - August 1992	RN, Medical/Surgical Spohn Hospital Corpus Christi, Texas
September 1992 - May 1993	RN, Medical/Surgical Southside Community Hospital Corpus Christi, Texas
May 1993 - Unknown	Dialysis RN Community Dialysis Corpus Christi, Texas

6. At the time of the first incident at Spohn Hospital, Corpus Christi, Texas, Respondent was employed as a Staff Nurse on the Medical/Surgical Unit and had been in that position for four (4) months.

7. On or about January 13, 1992, while employed at Spohn Hospital, Corpus Christi, Texas, Respondent failed to administer Humulin-R 5 units to patient P.J. as ordered by the physician. Failure to administer the Insulin placed the patient at risk of developing hyperglycemia with its associated complications, such as mental confusion, dyspnea, vomiting, dehydration and ketoacidosis.

8. On or about January 16, 1992, while employed at the aforementioned facility, Respondent, failed to administer a 2:00 P.M. IVPB dose of antibiotic to patient M.G. Failure to administer a scheduled antibiotic places the patient at risk of non-efficacious treatment of the infecting pathogen, and is likely to extend the period of the patient's recovery.

9. On or about June 6, 1992, while employed at the aforementioned facility, Respondent was admitted to Charter Hospital, Corpus Christi, Texas, for alcohol treatment/rehabilitation.

10. On or about July 29, 1992, while employed at the aforementioned facility, Respondent administered Dilantin p.o. to patient EL instead of Dilantin IVP as ordered by the physician. Respondent also infused D51/2NS IV to patient E.L. instead of D51/4NS as ordered by the physician. Respondent's failure to administer the Dilantin by the ordered route placed the patient at increased risk of seizure due to a reduced serum Dilantin level as a result of the slower absorption of the medication taken orally. In addition, the patient was exposed to the risk of hypernatremia from the increased sodium and chloride intake from the wrong IV fluid.

11. On or about August 2, 1992, while employed at the aforementioned facility, Respondent failed to know the appropriate nursing intervention for patient #4129, who coughed out a tracheostomy tube and was experiencing respiratory distress. Respondent left the patient while in respiratory distress and failed to institute the appropriate nursing intervention. Respondent's failure to act immediately when the patient developed respiratory distress exposed the patient to the risk of developing cardiogenic shock, which could deteriorate into respiratory and cardiac arrest.

12. On or about August 2, 1992, while employed at the aforementioned facility, Respondent failed to change IV fluids and reduce the Potassium from 40mEg KCL to 20 mEg KCL to patient R.O. as ordered by the physician. Respondent's action placed the patient at risk of developing hypercalcemia, with the associated complications such as abnormal EKG, weakness and flaccid paralysis.

13. On or about August 3, 1992, while employed at the aforementioned facility, Respondent failed to know the appropriate nursing intervention for a patient who had pulled out his chest tube from the pleuravac suction machine and had discontinued his IV. Respondent was assessing the IV instead of the chest tubes, which should have been the priority. Respondent's action exposed the patient to development and extension of a pneumothorax from the reversed pressures gradient in the thoracic cavity.

14. On or about August 9, 1992, while employed at the aforementioned facility, Respondent was admitted to Charter Hospital in San Antonio, Texas for treatment of alcohol dependence.

15. At the time of the second incident at Southside Community Hospital, Corpus Christi, Texas, Respondent was employed as a Staff Nurse on the Medical/Surgical Unit and had been in that position for seven (7) months.

16. On or about April 6, 1993, while employed at Southside Community Hospital, Corpus Christi, Texas, Respondent was admitted to Bayview Hospital in Corpus Christi, Texas for treatment of alcohol dependence.

17. At the time of the third incident at Community Dialysis, Corpus Christi, Texas, Respondent was employed as a Dialysis Registered Nurse and had been in that position for one (1) year.

18. On or about June 6, 1994, while employed at Community Dialysis, Corpus Christi, Texas, Respondent accepted an assignment when his mental or physical condition may have prevented the delivery of safe nursing care in that he was forgetful, inattentive and sensitive which resulted in his failure to administer an antibiotic as ordered and failure to ship blood per protocol. Respondent's failure to administer an ordered antibiotic places the patient at risk of non-efficacious treatment and a delayed resolution of an infection.

19. On or about June 22, 1994, while employed at Community Dialysis, Corpus Christi, Texas, Respondent was admitted to Bay View Hospital, Corpus Christi, Texas for treatment of alcohol dependence.

20. Respondent states his date of sobriety is June 24, 1994, and has been attending support groups since that time.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, 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 Article 4525(b)(12), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.11(6).

4. The evidence received is sufficient cause pursuant to Article 4525(b), TEX. REV. CIV. STAT. ANN., to take disciplinary action against license number 570014, heretofore issued to THOMAS KIPLINGER WILEY.

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AGREED SANCTIONS

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a Reprimand with Stipulations, and RESPONDENT 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 this Order.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to THOMAS KIPLINGER WILEY, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content should include the Nursing Practice Act, standards of practice, and documentation of care. 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 is to be taken in addition to any continuing education requirements the Board may have for relicensure.

IT IS FURTHER AGREED, SHOULD RESPONDENT CHOOSE TO PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING, UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT:

(3) 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 receipt 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 accepting an offer of employment.

(4) 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 receipt 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.

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(5) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising RN is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(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 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, telemetry, recovery room, and labor and delivery units.

(8) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan or other synthetic opiates for one (1) year of employment as a professional nurse.

(9) 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 completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted to the office of the Board at the end of each three (3) months for two (2) years of employment as a professional nurse.

(10) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, 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 directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription.

(11) RESPONDENT SHALL submit to random periodic screens for controlled substances and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the second three (3) month period, random screens shall be performed at least once per month. For the remainder of the stipulation/probation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

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

In addition, specimens will be screened for Butorphanol Tartrate (Stadol), Dezocine (Dalgan), and Nalbuphine Hydrochloride (Nubain) at least once per month during the first three-month period, once every three months during the second three-month period, and once per year for the remainder of the probation/stipulation period. A Board representative will determine when this screen will be done and will notify the specimen collector of the date the screen is to be

performed. A Board representative may appear at the Respondent's place of employment at any time during the stipulation period and collect a specimen for screening. That specimen will be screened for all of the above substances as well as Butorphanol Tartrate (Stadol), Dezocine (Dalgan), and Nalbuphine Hydrochloride (Nubain).

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 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 Nubain, Stadol, Dalgan or other synthetic opiates, for which the RESPONDENT 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 (512) 305-6834 and reporting the positive results to the Monitoring Investigator.

(12) 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 whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the stipulation or until RESPONDENT is dismissed from therapy.

(13) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse; and RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least; the date of each meeting, the name of each group attended, and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT 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.

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

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree and consent to the issuance of the Agreed Order, the Agreed Sanctions, and any condition stated in this 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.

Signed this 6th day of January, 1998.

Thomas Kiplinger Wiley
THOMAS KIPLINGER WILEY

Sworn to and subscribed before me this 6th day of January, 1998.

SEAL

BETTY MARSHALL
Notary Public, State of Texas
My Commission Expires
JAN. 1, 2000

Betty Marshall
Notary Public in and for the State of Texas

Approved as to form and substance.

Gary C. Riley
Gary C. Riley, Attorney for Respondent

Signed this 20 day of December, 1997

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 6th day of January, 19 98, by THOMAS KIPLINGER WILEY, license number 570014, and said Order is final.

Effective this 10th day of February, 19 98.

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