BOARD OF NURSING TEXAS
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

BEFORE THE TEXAS BOARD OF NURSING

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| | |
|---|---|
| In the Matter of | § |
| Vocational Nurse License Number 186856 | § |
| issued to JERRI DAWN HELLUMS | § |

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 186856, issued to JERRI DAWN HELLUMS, 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.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing.

3. Respondent received Certificate in Vocational Nursing from Victoria College, Victoria, Texas, on August 9, 2002. Respondent was licensed to practice vocational nursing in the State of Texas, on November 14, 2002.

4. Respondent's vocational nursing employment history includes:

| | | |
|---|---|---|
| 11/2002 - 12/2003 | Unknown | |
| 01/2003 - 06/2003 | LVN | Cartwheel Lodge<br>Luling, Texas |

Respondent's vocational nursing employment history continued:

| | | |
|---|---|---|
| 06/2003 - 11/2003 | LVN | Advanced Health Services<br>Seguin, Texas |
| 12/2003 - 09/2005 | LVN | Chisolm Trail Nursing and Rehabilitation<br>Lockhart, Texas |
| 11/2005 - 05/2014 | LVN | Encompass Austin Home Health<br>Austin, Texas |
| 10/2014 - 11/2015 | LVN | Seton Lockhart Family Health Center<br>Lockhart, Texas |
| 11/2015 - Present | Unknown | |

5. On or about June 5, 2007, Respondent's license to practice vocational nursing in the State of Texas was issued an Agreed Order, which required her to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). Respondent has successfully completed the terms of the order. A copy of the Findings of Fact, Conclusions of Law, and Order dated June 5, 2007, is attached and incorporated, herein, by reference, as part of this Order.

6. On or about August 17, 2010, Respondent's license to practice vocational nursing in the State of Texas was issued the sanction of a REPRIMAND WITH STIPULATIONS. Respondent has successfully completed the terms of the order. A copy of the Findings of Fact, Conclusions of Law, and Order dated August 17, 2010, is attached and incorporated, herein, by reference, as part of this Order.

7. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Seton Lockhart Family Health Center, Lockhart, Texas, and had been in that position for one (1) year and one (1) month.

8. On or about November 11, 2015, while employed as a Licensed Vocational Nurse with Seton Lockhart Family Health Center, Lockhart, Texas, Respondent submitted a fraudulent prescription for Tramadol to Walmart Pharmacy, Lockhart, Texas, through the use of an unauthorized written prescription. Respondent subsequently admitted to taking the prescription sheet and writing the prescription with the nurse practitioner's signature forged on it. Respondent's conduct was likely to deceive the pharmacy, and possession of controlled substances through use of an unauthorized, fraudulent written prescription is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

9. On May 5, 2016, 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 May 4, 2016, is attached and incorporated herein by reference as part of this Order.

10. 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.

11. 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)(B),(4),(6)(A),(10)(B),(10)(E)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 186856, heretofore issued to JERRI DAWN HELLUMS, 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.

## ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 186856, heretofore issued to JERRI DAWN HELLUMS, 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 vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational 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 5th day of May, 2016.

TEXAS BOARD OF NURSING

By: Katherine A. Thomas

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

5-4-16

Texas Board of Nursing,

I am writing this letter to confirm that I am voluntarily surrendering my license #186856

Jerri Dawn Hellums

Jerri Dawn Hellums

The State of Texas, County of Caldwell
Before me L. Gaspard on this day personally appeared J.D. Hellums known to me (or proved to me on the oath of _____ or through _____) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.
Given under my hand and seal of office this 4 day of May A.D. 2016
(Seal)
Lisa G. Gaspard

LISA G GASPARD
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 07-24-2018

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
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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

| | | |
|---|---|---|
| In the Matter of Vocational Nurse License Number 186856 | § | AGREED |
| issued to JERRI DAWN HELLUMS | § | ORDER |

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of JERRI DAWN HELLUMS, Vocational Nurse License Number 186856, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on May 3, 2007, 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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Victoria College, Victoria, Texas, on August 9, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on November 14, 2002.

5. Respondent's vocational nursing employment history includes:

| | | |
|---|---|---|
| 11/02-12/02 | Unknown | |
| 1/03-6/03 | Charge Nurse | Cartwheel Lodge<br>Luling, Texas |

Respondent's vocational nursing employment history continued:

| | | |
|---|---|---|
| 6/03-11/03 | LVN | Advanced Health Services<br>Seguin, Texas |
| 12/03-9/05 | LVN | Chisolm Trail Nursing and Rehabilitation<br>Lockhart, Texas |
| 10/05-Present | Unknown | |

6. At the time of the incidents, Respondent was employed as a vocational nurse with Chisolm Trail Nursing and Rehabilitation, Lockhart, Texas, and had been in this position for approximately one (1) year and six (6) months.

7. During May 2005, while employed as a Licensed Vocational Nurse at Chisolm Trail Nursing and Rehabilitation, Lockhart, Texas, Respondent misappropriated Effexor/Hexlafaxine HCL and Gentamicin vials and syringes belonging to the facility and patients thereof in that Respondent admitted to the misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

8. In response to Finding of Fact Number Seven (7), Respondent states, in part: "I was prescribed effexor by my primary care physician during these times to help control my anxiety and was unable to afford to purchase this medicine after my free samples given by my physician were used...Due to bad judgement on my part I noted some dis-continued effexor at the nursing home in the med box of to-be-destroyed items and did take [the medication] for personal use so that I could continue to work without having to call in due to anxiety. The patient no longer used this medicine but I know what I did was wrong and for this I am deeply sorry and will never do it again...Shortly after taking this medicine... my anxiety subsided and I no longer needed medicine to control it. I then destroyed the remainder of the medication. As for the Gentamycin it was also in the to-be-destroyed box. I did have it in my possession. I never used it, I don't have a reason of why I took it other than possibly for future sickness that I could not afford to go to the doctor for. It is no longer in my possession and was never used. From my understanding it was found and destroyed...."

9. In 2005, Respondent engaged in the unlawful use of cocaine in that she admitted to the use of cocaine. Possession of cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of cocaine by a 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.

10. In response to Finding of Fact Number Nine (9), Respondent states: "As for the cocaine use, there was a time last year when I occasionally used (not while working)...I do not have a dependency for any illegal or prescribed drugs. I removed myself from those situations involving anything to jeopardize my license as a nurse, myself and children."

11. 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.

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.

13. Respondent's conduct described in the preceding Findings of Fact resulted from Respondent's dependency on chemicals.

14. 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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(G)&(10)(A).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 186856, heretofore issued to JERRI DAWN HELLUMS, including revocation of Respondent's license to practice vocational 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 JERRI DAWN HELLUMS, to the office of the Board of Nurse Examiners 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 and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars ($350) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, 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 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 State of Texas 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 vocational 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 Board of Nurse Examiners, 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 4th day of June, 2007.

JERRI DAWN HELLUMS, Respondent

Sworn to and subscribed before me this 4th day of June, 2007.

SEAL

VIRGINIA B. ROBBINS
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 09-08-2008

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 accept and enter the Agreed Order that was signed on the 4th day of June, 20 07, by JERRI DAWN HELLUMS, Vocational Nurse License Number 186856, and said Order is final.

Entered and effective this 5th day of June, 20 07.

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

BEFORE THE TEXAS BOARD OF NURSING

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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

| | | |
|---|---|---|
| In the Matter of Vocational Nurse License Number 186856 | § | AGREED |
| issued to JERRI DAWN HELLUMS | § | ORDER |

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of JERRI DAWN HELLUMS, Vocational Nurse License Number 186 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1),(9)&(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on June 14, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

## 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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Victoria College, Victoria, Texas, on August 9, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on November 14, 2002.

5. Respondent's vocational nursing employment history includes:

| | | |
|---|---|---|
| 11/02-12/02 | Unknown | |
| 1/03-6/03 | Charge Nurse | Cartwheel Lodge<br>Luling, Texas |

Respondent's vocational nursing employment history (continued):

| | | |
|---|---|---|
| 6/03-11/03 | LVN | Advanced Health Services<br>Seguin, Texas |
| 12/03-9/05 | LVN | Chisolm Trail Nursing and Rehabilitation<br>Lockhart, Texas |
| 10/05-Present | Unknown | |

6. On or about June 5, 2007, Respondent was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas, requiring Respondent to apply to, and be accepted into the Texas Peer Assistance Program for Nurses ( TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated June 5, 2007, is attached and incorporated, by reference, as part of this Order.

7. On or about February 6, 2009, while enrolled in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent engaged in the intemperate use of Alcohol in that she submitted a specimen for a drug screen which resulted positive for EtG. Additionally, Respondent admitted to the use of Alcohol. The use of Alcohol by a nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in patients' conditions, 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.

8. On or about February 6, 2009, Respondent failed to comply with the Agreed Order issued to her on June 5, 2007, by the Board of Nurse Examiners for the State of Texas. Respondent's non-compliance is the result of her failure to comply with all requirements of TPAPN in that she submitted a specimen for a drug screen which resulted positive for EtG. Stipulation Number Three (3) of the Agreed Order, dated June 5, 2007, reads, in pertinent part:

   (3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

9. In response to Finding of Fact Number Seven (7) and Eight (8), Respondent states that she made a mistake. Respondent states that she went out to dinner with her family the day before the screen and consumed a beer with the meal. Respondent states that she overlooked the rule in the handbook regarding the consumption of alcohol. Respondent states that she does not possess an abuse/addiction diagnosis.

10. On or about April 26, 2010, Respondent underwent a chemical dependency evaluation with Herbert C. Munden, M.D., Austin Addition Medicine Services, Austin, Texas. Dr. Munden states that in his opinion, Respondent does not, nor has she ever, fulfilled the criteria for a substance or alcohol dependency problem. Additionally, Dr. Munden states that he further believes that Respondent is not impaired nor does her use of alcohol, as noted, constitute as a relapse.

## 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 a violation of Section 301.452(b)(1),(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(9),(10)(D)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 186856, heretofore issued to JERRI DAWN HELLUMS, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

## ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS, 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 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, 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.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to JERRI DAWN HELLUMS, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(2) RESPONDENT SHALL pay a monetary fine and monitoring fee in the amount of two hundred fifty ($250) dollars. 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 <u>not</u> 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 STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION 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 VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations 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 stipulations 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 CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(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 or Licensed Vocational 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 stipulation 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 stipulation 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 stipulation 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, 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.

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

Signed this 7 day of July, 2010.

Jerri D. Hellums

JERRI DAWN HELLUMS, Respondent

Sworn to and subscribed before me this 7th day of July, 2010.

SEAL

YVONNE MORENO
Notary Public, State of Texas
My Commission Expires
NOVEMBER 27, 2010

Yvonne Moreno

Notary Public in and for the State of Texas

Approved as to form and substance.

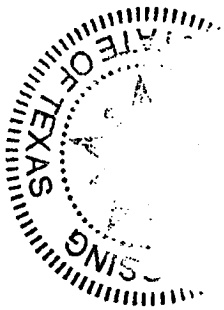
Taralynn R. Mackay

TARALYNN R. MACKAY, Attorney for Respondent

Signed this 12th 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 7th day of July, 2010, by JERRI DAWN HELLUMS, Vocational Nurse License Number 186856, and said Order is final.

Effective this 17th day of August, 2010.



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