

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Registered Nurse License Number 718763           §        AGREED  
and Vocational Nurse License Number 155390 Issued to           §        ORDER  
STEPHEN NORWOOD JANSKY

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of STEPHEN NORWOOD JANSKY, Registered Nurse License Number 718763 and Vocational Nurse License Number 155390, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1) & (10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order 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 representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice professional nursing in the State of Texas is in current status. Respondent's license to practice vocational nursing in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Victoria College, Victoria, Texas, on August 11, 1995. Respondent received a Baccalaureate Degree in Nursing from the University of Texas Health Science Center of San Antonio, Texas, on December 18, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on October 26, 1995. Respondent was licensed to practice professional nursing in the State of Texas on July 14, 2005.
5. Respondent's nursing employment history is as follows:

10/1995 - 5/1997	Staff Nurse (LVN)	Winchester Lodge Alvin, Texas
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Respondent's nursing employment history continued:

7/1997 - 12/1997	Staff Nurse (LVN)	Albuquerque Manor Albuquerque, NM
12/1997 - 01/1999	Staff Nurse (LVN)	Williamsburg N.H. San Antonio, Texas
01/1999 - 11/2005	Staff Nurse (LVN)(RN)	Nix Hospital San Antonio, Texas
11/2005 - Present		Unknown

6. On or about April 17, 2006, the Board of Nurse Examiners for the State of Texas issued an AGREED BOARD ORDER requiring Respondent to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of this order is attached and incorporated herein.
7. On or about June 8, 2006, Respondent became non-compliant with the Agreed Order issued to him by the Board of Nurse Examiners for the State of Texas on April 17, 2006. Non-compliance is the result of Respondent's failure to apply to and be accepted into the Texas Peer Assistance Program for Nurse (TPAPN). Stipulation Number One (1) of the Agreed Order dated March 29, 2006, states that, "RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into TPAPN."
8. *Summary of Results and Comments from the Psychological Evaluation performed by James M. Meredith, Ph.D., documenting the following on April 6, 2006:*  
"Mr. Jansky appeared motivated to provide adequate detail and description of his adjustment and the stressors in his life. The major stressor in his life at this point is the process of being evaluated regarding taking pain medications from his work site. He reports good adjustment with regard to work, goals, and family relationships. He evinced no signs of serious psychological problems and this was consistent with the test results. Based on the information provided by Mr. Jansky, my interview and observation of him during the assessment, and the results of psychological testing, I judge him to be psychologically healthy, with no evidence of any significant mental or emotional problems. I could find no indication that he is at high risk for substance abuse. I judge him to be able to effectively carryout his duties and responsibilities as a nurse."
9. On October 5, 2006, the Board of Nurse Examiners for the State of Texas received a letter written by Maria L. Serio-Melvin. MSN. RN, CCRN, stating that Respondent has been employed through OMV Medical Incorporated, in the Burn Center at the Institute of Surgical Research, Brooke Army Medical Center, Fort Sam Houston, Texas, since February 2004. Ms. Serio-Melvin also states that Respondent has been a reliable and competent employee for the entire duration of his employment and is happy to have Respondent as a part of the team of nurses that care for injured soldiers on a daily basis.

## 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)(1) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(1) and §217.12(9) & (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 718763 and Vocational Nurse License Number 155390, heretofore issued to STEPHEN NORWOOD JANSKY, including revocation of Respondent's licenses to practice professional and vocational 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 REPRIMAND WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, 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 multistate licensure privilege, if any, to practice professional and vocational nursing in compact states.

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 that:

(1) RESPONDENT SHALL deliver the wallet-sized licenses issued to STEPHEN NORWOOD JANSKY, to the office of the Board of Nurse Examiners within ten (10) days from the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas 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 shall include Nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall 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 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 on the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by 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. *Board approved courses may be found on the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE (RN) OR LICENSED VOCATIONAL NURSE (LVN) 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 ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR LICENSED VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(4) RESPONDENT SHALL notify each present employer in professional or vocational nursing of this Order of the Board and the stipulations 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 professional or vocational nursing of this Order of the Board and the stipulations 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) For the duration of the stipulation period, 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. **Respondent may continue employment with OMV Medical Incorporated and work solely in the Burn Unit at Fort Sam Houston, San Antonio, Texas. Should Respondent cease working in the Burn Unit, he can no longer be employed by a nursing agency in contradiction of this Order.**

(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 professional or vocational 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) months for one (1) year of employment as a professional or vocational 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 second three (3) 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.

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 will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board. Failure to report for a drug screen may be considered the same as a positive result and may result in further disciplinary action by this Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued unencumbered licenses and multistate licensure privileges, if any, to practice professional or 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 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 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 licenses to practice professional or vocational nursing in the State of Texas, as a consequence of my noncompliance.

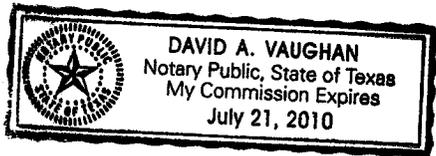
Signed this 13 day of October, 2006.

Steve Norwood Jansky  
STEVE NORWOOD JANSKY, Respondent

Sworn to and subscribed before me this 13 day of October, 2006.

SEAL

DAV  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 13th day of October, 2006, by STEVE NORWOOD JANSKY, Registered Nurse License Number 718763 and Vocational Nurse License Number 155390, and said Order is final.

Effective this 13th day of November, 2006.

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

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Registered Nurse License Number 718763  
and Vocational Nurse License Number 155390,  
Issued to STEVE NORWOOD JANSKY, Respondent

§ AGREED  
§ ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of STEVE NORWOOD JANSKY, Registered Nurse License Number 718763 and Vocational Nurse License Number 155390, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on February 26, 2006, 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 and professional nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Victoria College, Victoria, Texas, on August 11, 1995. Respondent received a Baccalaureate Degree in Nursing from the University of Texas Health Science Center of San Antonio, Texas, on December 18, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on October 26, 1995. Respondent was licensed to practice professional nursing in the State of Texas on July 14, 2005.
5. Respondent's nursing employment history is as follows:

10/1995 - 5/1997

Staff Nurse

Winchester Lodge  
Alvin, Texas

SCANNED  
MAY 26 2006

Respondent's nursing employment history continued:

7/1997 - 12/1997	Staff Nurse	Albuquerque Manor Albuquerque, NM
12/1997 - 01/1999	Staff Nurse	Williamsburg N.H. San Antonio, Texas
01/1999 - 11/2005	Staff Nurse	Nix Hospital San Antonio, Texas
11/2005 - Present		Unknown

6. On or about August 18, 2004, while employed with Nix Health Care Medical Center, San Antonio, Texas, Respondent misappropriated Ultram belonging to the facility and the patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
7. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
8. 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.
9. Respondent's conduct described in Finding of Fact Number Six (6) was significantly influenced by Respondent's chemical dependency.
10. 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 violations of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(1) and §217.12(19).
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 718763 and Vocational Nurse License Number 155390, heretofore issued to STEVE NORWOOD JANSKY, including revocation of Respondent's professional and vocational licenses to practice nursing in the State of Texas.

5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(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 five hundred dollars (\$500) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN 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 §211.01 *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 licenses are 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 licenses and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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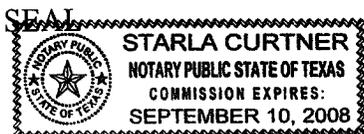
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation 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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3 day of April, 2006.

Steve Norwood Jansky  
STEVE NORWOOD JANSKY, Respondent

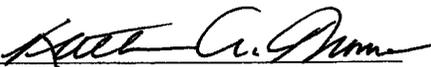
Sworn to and subscribed before me this 3 day of April, 2006.



Starla Curtner  
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 3rd day of April, 2006, by STEVE NORWOOD JANSKY, Registered Nurse License Number 718763 and Vocational Nurse License Number 155390, and said Order is final.

Entered and effective this 17th day of April, 2006.

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