

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Vocational Nurse	§	AGREED
License Number 163302	§	
issued to VANESSA DAWN HOLLIS	§	ORDER

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that VANESSA DAWN HOLLIS, hereinafter referred to as Respondent, Vocational Nurse License Number 163302, may have violated Section 302.402(a)(10), Texas Occupations Code.

An informal conference was held on July 16, 2005, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Nancy Roper Willson, Attorney at Law. In attendance were Mary Beth Thomas, MSN, RN, Director of Nursing, Executive Director's Designee; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Christine Horton, RN, Investigator; and Sonia M. Vega, 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 agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.

4. Respondent completed a Vocational Nurse Program at Texas State Technical College, Sweetwater, Texas, on February 21, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on August 1, 1997.
5. Respondent's complete vocational nursing employment history includes:
 

1997 - 2004	GVN ER Nurse/ Med/Surg Nurse/ Charge Nurse	Scenic Mountain Medical Center Big Springs, Texas
2004 - 2005	Charge Nurse	Lamun Lusk Sanchez Texas State Veterans Home Big Springs, Texas
6. On or about September 8, 1997, Respondent was arrested by the Andrews County Sheriff's Department, Texas, for the offense of "Driving While Intoxicated," a Class B Misdemeanor. On June 11, 2001, Respondent was convicted of "Driving While Intoxicated," in the County Court of Andrews County, Texas, Cause No. 97313. Respondent was placed on Community Supervision for a period of nine (9) months.
7. On or about March 30, 2001, Respondent was arrested by the Texas Department of Public Safety, Midland County, Texas, for the offense of "Driving While Intoxicated," a Class B Misdemeanor. On June 8, 2001, Respondent was convicted of "Driving While Intoxicated," in the County Court of Midland County, Texas, Cause No. 91779, and was placed on probation for one (1) year.
8. On or about August 15, 2001, Respondent submitted a Licensed Vocational Nurse (LVN) renewal application to the office of the Board of Vocational Nurse Examiners in which she answered "No" to question number eleven(11)(b), which asked: "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?" Respondent was convicted of the offense, "Driving While Intoxicated" on June 8, 2001 and June 11, 2001, as indicated in Findings of Fact Numbers six (6) and seven (7). Respondent's conduct was likely to deceive the Board and may have affected their decision to renew her licensure.
9. On or about September 14, 2004, Respondent was arrested by the Stanton Police Department, Stanton, Texas, for the offense of "Driving While Intoxicated." This case is currently pending in Martin County, Texas.
10. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Texas Occupations Code, Sections 301.401-301.419.
11. Charges were filed on February 3, 2006.

12. Charges were mailed to Respondent on February 8, 2006.
13. 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-.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 Section 302.402(a)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(8)&(29)(iv).
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 163302, heretofore issued to VANESSA DAWN HOLLIS, including revocation of Respondent's license to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

#### ORDER

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

(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.

(5) IT IS FURTHER AGREED, SHOULD RESPONDENT be convicted of the offense as outlined in Finding of Fact Number Nine (9), said judicial action will result in further disciplinary action including Revocation of Respondent's license to practice vocational nursing in the State of Texas.

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, §§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, that the terms of this Agreed Order shall be applicable to Respondent's multistate licensure privileges, if any, to practice vocational 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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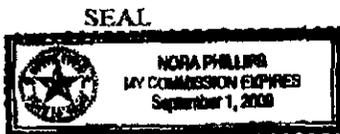
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 <sup>(24)</sup> 24 day of April, 2006.

Vanessa Dawn Hollis  
VANESSA DAWN HOLLIS, Respondent

Sworn to and subscribed before me this 24 day of April, 2006.



Nora Phillips  
Notary Public in and for the State of Texas

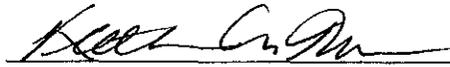
Approved as to form and substance. <sup>mpw</sup>

Nancy Roper Willson  
Nancy Roper Willson, Attorney for Respondent

Signed this 25<sup>th</sup> day of April, 2006

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 24<sup>th</sup> day of April, 2006, by VANESSA DAWN HOLLIS, Vocational Nurse License Number 163302, and said Order is final.

Entered and effective this 26<sup>th</sup> day of April, 2006.



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