

ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR
November 10, 2009

This report is written to describe E&D Committee actions and trends. There was one (1) Eligibility Request, three (3) Petitioners for Exception to a Previous Board Order, six (6) Motions for Rehearing, three (3) Eligibility Agreed Orders, two (2) Reinstatement Agreed Orders, twenty-one (21) Disciplinary Agreed Orders, and twenty-eight (28) Default Revocation Orders.

NATURE OF ELIGIBILITY REQUESTS AND RESOLUTIONS

PETITIONER / APPLICANTS: (1)

Continued (1):

1. Applicant submitted physician's letter dated July 13, 2005, to the Board stating that Applicant has a history of Cholangitis and chronic Pancreatitis, which required multiple surgeries and multiple inpatient stays. Applicant developed a chronic pain syndrome with regards to her Pancreatitis and chronic pain syndrome did lead to a reliance on pain medicine. Additional physician's letter dated February 7, 2007, was submitted to the Board by Applicant stating that Applicant has end stage liver failure secondary to complications at the time of a cholecystectomy and is on a liver transplant list. Due to the need for avoidance of Tylenol-based products, physician states he has been treating Applicant with Oxyfast 20 per cc 1/4 to 1 cc po q 3 hours for pain. Physician states he has no reason to believe that Applicant is abusing medications. Applicant submitted a 3rd physician's letter dated February 22, 2007, from the Neuropsychiatric Clinic of Acadiana, LLC, stating that she has been treating Applicant through counseling and feels that Applicant is capable of returning to the practice of practical nursing.

MOTIONS FOR REHEARING (4): Two (2) Denied, four (4) Granted.

PETITIONERS FOR EXCEPTION TO A PREVIOUS BOARD ORDER (3): One (1) Granted, One (1) Granted, and One (1) Continued.

ELIGIBILITY AGREED ORDERS (3): Approved.

REINSTATEMENT AGREED ORDERS (2): Approved.

DISCIPLINARY AGREED ORDERS (21): Approved.

DEFAULT REVOCATION ORDERS (28): Approved.

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR
December 8, 2009**

This report is written to describe E&D Committee actions and trends. There was one (1) Eligibility Request, four (4) Petitioners for Exception to a Previous Board Order, two (2) Motions for Rehearing, twelve (12) Eligibility Agreed Orders, four (4) Reinstatement Agreed Orders, forty-nine (49) Disciplinary Agreed Orders, and forty-four (44) Default Revocation Orders.

NATURE OF ELIGIBILITY REQUESTS AND RESOLUTIONS

PETITIONER / APPLICANTS: (1)

Approved with Stipulations (1):

1. Petitioner entered a plea of guilty to the felony offense of Conspiracy to Distribute and Possess with Intent to Distribute Marijuana in the United States District Court, Southern District of Texas, on November 5, 1998. Petitioner was sentenced to fifty-seven (57) months confinement, followed by three (3) years supervised release. On March 15, 2005, Petitioner was released on parole. On September 19, 2008, Petitioner underwent a forensic psychological evaluation to include a chemical dependency component and a polygraph examination. The results of the evaluation revealed that from a psychological perspective, there is no clear indication of clinically significant psycho-pathology, including substance abuse or dependence. Petitioner served three (3) years in prison and was cleared from probation in 2005. Evaluator states that Petitioner has examined her role in past relationships rather extensively and has matured with regard to interpersonal and intimacy needs. After reviewing Board Rules in detail, Evaluator believes that Petitioner is capable of conducting herself in accordance with the requirements of Rules 213.27-213.29 at 22 TAC, is capable of consistently behaving in accordance with the minimal standards set by the Board Rule 217.11 at 22 TAC, and would be able to consistently behave in accordance with generally accepted nursing standards and consistently be able to avoid behaviors identified by the Board as constituting unprofessional conduct.

MOTIONS FOR REHEARING (2): Two (2) Denied.

PETITIONERS FOR EXCEPTION TO A PREVIOUS BOARD ORDER (4): One (1) Granted, One (1) Granted in part, Two (2) Denied.

ELIGIBILITY AGREED ORDERS (12): Approved.

REINSTATEMENT AGREED ORDERS (4): Approved.

DISCIPLINARY AGREED ORDERS (49): Approved.

DEFAULT REVOCATION ORDERS (44): Approved.