



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

William C. Palmer
Executive Director of the Board

Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Vocational Nurse License Number 165568
issued to LOUISE MARIE KELLER,
PETITIONER for Exception

www.wiley.com

ORDER DENYING PETITIONER'S REQUEST FOR EXCEPTION

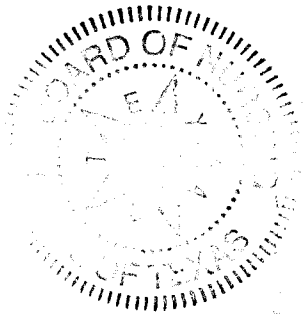
A public meeting of the Eligibility and Disciplinary Committee of the Board, hereinafter referred to as the Committee, was held on May 8, 2012, at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, to consider the Petition for Exception and supporting documents filed by LOUISE MARIE KELLER, hereinafter referred to as PETITIONER.

PETITIONER appeared in person. PETITIONER was represented by Stephen Pitts, Attorney at Law.

Board Members in attendance were: Kristin Benton, MSN, RN; Deborah Hughes Bell, CLU, ChFC; and Kathy Leader-Horn, LVN. Staff present were: Katherine A. Thomas, MN, RN, FAAN, Executive Director; James W. Johnston, General Counsel; Anthony L. Diggs, Director, Enforcement Division; Earl E. Stearns, CFE, Supervising Investigator; Allison Hassinger, Legal Secretary; Paul Longoria, Lead Investigator; Tabitha Morales, Investigator; and Andrea Gonzalez, Legal Secretary.

After review and due consideration of the filed Petition, the Committee voted to deny the Petitioner's Petition for Exception. The Board's Order dated December 6, 2011, stands. A copy of Board's Order dated December 6, 2011, is attached and incorporated herein

by reference as part of this Order, and PETITIONER is hereby ORDERED to comply with said Order within thirty (30) days of the date of this Order.



Entered this 8th day of May, 2012.

Katherine A. Thomas

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse	§	AGREED
License Number 165568	§	
issued to LOUISE MARIE KELLER	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LOUISE MARIE KELLER, Vocational Nurse License Number 165568, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402(a)(10)(effective September 1, 2001), Texas Occupations Code; Section 302.402(a)(2)&(10)(effective September 1, 2003); Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on October 7, 2011, 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(s).
2. Respondent waived representation by counsel, 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 Edna McConnell Clerk, New York, New York, on August 1, 1979. Respondent was licensed to practice vocational nursing in the State of Texas on October 29, 1997.
5. Respondent's nursing employment history is unknown.

6. On or about February 8, 2002, Respondent was arrested by the Williamson County Sheriff's Office, Georgetown, Texas, for DRIVING WHILE INTOXICATED (a Class B Misdemeanor offense).

On or about July 2, 2002, Respondent pled of Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED, in the County Court at Law No. 2 of Williamson County, Texas, under Cause No. 0211372. As a result of the conviction, Respondent was sentenced to confinement for a period of one hundred-eighty (180) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months, was ordered to pay a fine and court costs.

7. In response to Finding of Fact Number Six (6), Respondent states: She was charged and fined.

8. On or about September 23, 2007, Respondent was arrested by the Williamson County Sheriff's Office, Georgetown, Texas, for DRIVING WHILE INTOXICATED 2ND (a Class A Misdemeanor offense).

On or about January 30, 2008, Respondent pled of Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED 2ND, in the County Court at Law No. 2 of Williamson County, Texas, under Cause No. 0786462. As a result of the conviction, Respondent was sentenced to confinement for a period of one hundred-eighty (180) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months, and was ordered to pay a fine and court costs.

9. In response to Finding of Fact Number Eight (8), Respondent states: She was admitted into a program with Williamson County called "Drug Court" for both alcohol and drug offenders. It was a highly intensive program teaching the benefits of abstaining. The course included classes about recklessness, poor judgment and family response actions. She completed the course and is a much better person for it.

10. On or about March 22, 2004, Respondent submitted a Texas Online Renewal Document for Licensed Vocational Nurses to the Board of Nurses Examiners for the State of Texas, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

Respondent failed to disclose that on or about July 2, 2002, Respondent pled No Contest and was convicted of DRIVING WHILE INTOXICATED (an offense committed on February 8, 2002), in the County Court at Law No. 2 of Williamson County, Texas, under Cause No. 0211372.

11. On or about March 26, 2008, Respondent submitted an Online Renewal Document Licensed Vocational Nurse to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
- A. been convicted of a misdemeanor?
 - B. been convicted of a felony?
 - C. pled nolo contendere, no contest, or guilty?
 - D. received deferred adjudication?
 - E. been placed on community supervision or court ordered probation, whether or not adjudicated guilty?
 - F. been sentenced to serve jail or prison time? court-ordered confinement?
 - G. been granted pre-trial diversion?
 - H. been arrested or have any pending criminal charges?
 - I. been cited or charged with any violation of the law?
 - J. been subject of a court martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that on or about September 23, 2007, Respondent was arrested by the Williamson County Sheriff's Office, Georgetown, Texas, for DRIVING WHILE INTOXICATED 2ND (a Class A misdemeanor offense).

On or about January 30, 2008, Respondent was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on December 16, 2006), in the County Court at Law No. 2 of Williamson County, Texas, under Cause No. 07-8646-2.

12. In response to Finding of Fact Numbers Ten (10), and Eleven (11), Respondent states: It was not an intentional non-disclosure.
13. 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.
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 violations of Section 302.402(a)(10)(effective September 1, 2001), Texas Occupations Code; Section 302.402(a)(2)&(10)(effective September 1, 2003); Section 301.452(b)(2)&(10), Texas Occupations Code; 22 TEX. ADMIN. CODE §239.11(29)(A)(effective September 1, 2001); 22 TEX. ADMIN. CODE §239.11(8) & (29)(A)(effective September 1, 2004); and 22 TEX. ADMIN. CODE §217.12(6)(I) & (13).
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 165568, heretofore issued to LOUISE MARIE KELLER, including revocation of Respondent's license(s) 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 TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep her license(s) to practice nursing in the

State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, 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 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(s) is/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 Texas Board of Nursing 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 EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 Texas Board of Nursing, 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

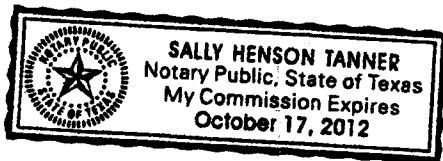
Signed this 23 day of November, 2011.

Louise M Keller

LOUISE MARIE KELLER, Respondent

Sworn to and subscribed before me this 23 day of November, 2011.

SEAL



[Signature]
Notary Public in and for the State of Texas

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 23rd day of November, 2011, by LOUISE MARIE KELLER, Vocational Nurse License Number 165568, and said Order is final.



Entered and effective this 6th day of December, 2011.

Katherine A. Thomas

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