



BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse
License Number 144282
issued to MARY HELEN WALDROP

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REINSTATEMENT
AGREED ORDER

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.
Katherine A. Thomas
Executive Director of the Board

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Vocational Nurse License Number 144282, held by MARY HELEN WALDROP, hereinafter referred to as Petitioner.

An informal conference was held on June 16, 2009, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person and was represented by Courtney Newton, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; Robert Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; and Carolyn Hudson, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived notice and hearing, and consented to the entry of this Order.
3. Petitioner received a Certificate in Vocational Nursing from Navarro College, Mexia, Texas, on August 20, 1993. Petitioner was originally licensed to practice vocational nursing in the State of Texas on December 1, 1993.

4. Petitioner's vocational nursing employment history includes:

19923- 2002	LVN	Limestone Medical Center Groesbeck, Texas
1997 - 2001	LVN	Elite Nursing Service Palestine, Texas
2003 - present	Not employed in nursing	

5. On December 3, 2002, Petitioner's license to practice Vocational Nursing in the State of Texas was Suspended by the Board of Vocational Nurse Examiners for the State of Texas. The suspension was Stayed, and Petitioner was placed on Probation for two (2) years. A copy of the December 3, 2002, Agreed Order and Complaint is attached and incorporated, by reference, as part of this Order.
6. On April 22, 2004, the Board of Nurse Examiners for the State of Texas accepted the voluntary surrender of Petitioner's license to practice vocational nursing in the State of Texas. A copy of the April 22, 2004, Order and Complaint is attached and incorporated, by reference, as a part of this Order.
7. On or about October 8, 2007, Petitioner was arrested for a Class A Misdemeanor Offense of Driving While Intoxicated 2nd in McClennan County, Texas.
8. On or about January 27, 2009, Petitioner submitted a Petition for Reinstatement of her License to practice vocational nursing in the State of Texas.
9. Petitioner presented the following in support of her petition:
- 9.1. Letter of support, dated August 11, 2008, written by Terry Markham, Director, Jubilee House, Abilene, Texas, states that Jubilee House is a residential living environment for addicts and alcoholics in recovery. Ms. Markham states that Petitioner has followed all the guidelines of the program completing the tasks required to find continued success. Petitioner possesses the commitment and drive it takes to be a productive member of society.
- 9.2. Letter of support, written by Benjamin Clinard, B.S., Intern, and Deon Botha, LPC, LMFT-1, Abilene Christian University, Abilene, Texas, states that Petitioner has attended eleven (11) hours of individual therapy at the Marriage and Family Institute at Abilene Christian University. Her goals include recovery from addiction and dealing with stress and anxiety. Petitioner has been successfully working in therapy to make further progress towards her personal goals.

- 9.3. Letter of support, written by Martha Hanley, Substance Abuse Counselor, Salvation Army, Abilene, Texas, states that she had the privilege of working with Petitioner for over a year, and she is cooperative and willing to work hard to achieve her goals. Ms. Hanley states that Petitioner has the tools she needs to overcome her addiction. Ms. Hanley recommends reinstatement of Petitioner's nursing license.
- 9.4. Letter of support, written by Shannon Dorsey, Administrative Assistant, Salvation Army, Abilene, Texas, states that Petitioner is an employee of The Salvation Army kitchen staff, and she has been an asset to the organization. Ms. Dorsey states that Petitioner fulfills her duties admirably. She is very self motivated and requires no supervision to get the job done. Petitioner's duties also include the supervision and monitoring of the drug and alcohol rehabilitation clients that are completing the work therapy programs. Petitioner is a hard working employee that is efficient and compassionate.
- 9.5. Letter of support, written by James E. Parrish, Major Corp Officer, Salvation Army, Abilene, Texas, states that he has known Petitioner for two (2) years and she is currently employed by The Salvation Army. Petitioner is dependable and conscientious.
- 9.6. Verification of successful completion of twenty (20) Type I Continuing Education Contact Hours.
- 9.7. Petitioner gives January 10, 2008, as her date of sobriety.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of MARY HELEN WALDROP, license number 144282, to practice vocational nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING CONDITIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner 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 Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice vocational nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL, within one (1) year of entry of this Order and prior to practicing as a vocational nurse, successfully complete a nursing refresher course. 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. The course's content shall include: 1) the role and scope of the vocational nurse;

2) a review of the nursing process to include focused assessment, planning, implementation and evaluation; 3) pharmacology review; 4) medication administration review for all standard routes of administration; 5) documentation, ethical and legal implications for nursing practice; and 6) current CPR certification. This course shall include a minimum of the clinical components, providing direct patient care supervised by another nurse, as stated on the Board's website, <ftp://www.bon.state.tx.us/6mth-lvn.pdf>.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice vocational nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to MARY HELEN WALDROP, shall be subject to the following agreed post-licensure stipulations:

(6) PETITIONER SHALL pay a monetary fine in the amount of three hundred fifty dollars (\$350.00). PETITIONER SHALL pay this fine within forty five (45) days of relicensure. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(7) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in nursing jurisprudence and ethics. PETITIONER SHALL obtain Board approval of the course prior to enrollment only if the course is not 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) contact 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. PETITIONER 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 PETITIONER's successful completion of the course. This course is to be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board may have for relicensure.

Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/about/stipscourses.html>.

IT IS FURTHER AGREED, SHOULD PETITIONER PRACTICE AS A VOCATIONAL NURSE IN THE STATE OF TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) 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:

(8) PETITIONER SHALL notify all future employers in vocational nursing of this Order of the Board and the stipulations on PETITIONER's license. PETITIONER 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.

(9) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Petitioner by the Board, to the Board's office within five (5) days of employment as a vocational nurse.

(10) For the first year of employment as a vocational nurse under this Order, PETITIONER SHALL be directly supervised by a Registered Nurse or a Licensed Vocational Nurse. Direct supervision requires another professional or vocational nurse to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). The PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(11) For the remainder of the stipulation period, PETITIONER SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as PETITIONER, 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 Petitioner is currently working. PETITIONER SHALL work only regularly assigned,

identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(12) PETITIONER SHALL NOT practice as a vocational nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Petitioner is regularly assigned for one (1) year of employment as a vocational nurse.

(13) PETITIONER SHALL NOT practice as a vocational nurse in any critical care area for one (1) year of employment as a vocational nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(14) PETITIONER SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a vocational nurse.

(15) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the Petitioner by the Board, periodic reports as to Petitioner's capability to practice vocational nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for three (3) years of employment as a vocational nurse.

(16) PETITIONER 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, PETITIONER 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 PETITIONER 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.**

(17) PETITIONER 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 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.

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 PETITIONER's place of employment at any time during the stipulation period and require PETITIONER 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. PETITIONER 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.

(18) PETITIONER SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous; or another comparable recovery program that has been pre-approved by the Board. PETITIONER SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by PETITIONER. PETITIONER SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

(19) PETITIONER SHALL CAUSE her probation officer to submit written reports on forms provided to the Petitioner by the Board. The reports shall indicate the PETITIONER's compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until PETITIONER is released from probation.

(20) IT IS FURTHER AGREED, SHOULD PETITIONER be convicted of or receives a deferred order for the offense(s) as outlined in this Order, said judicial action will result in further disciplinary action including Revocation of Petitioner's license to practice vocational 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 PETITIONER's license and PETITIONER shall be eligible for multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

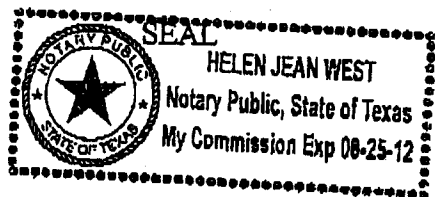
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice vocational nursing in the state of Texas. 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 20 day of July, 2009.

Mary Helen Waldrop
MARY HELEN WALDROP, Petitioner

Sworn to and subscribed before me this 20th day of July, 2009.




Helen Jean West
Notary Public in and for the State of Texas

Approved as to form and substance.
Courtney Newton
Courtney Newton, Attorney for Petitioner

Signed this 12th day of August, 2009.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 20th day of July, 2009, by MARY HELEN WALDROP, Vocational Nurse License Number 144282, and said Order is final.

Effective this 8th day of September, 2009.


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

BOARD OF VOCATIONAL
NURSE EXAMINERS

VS

MARY HELEN WALDROP

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STATE OF TEXAS

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the matter of vocational nurse license number 144282, held by MARY HELEN WALDROP hereinafter called Respondent.

A sworn Complaint has been filed and served on the Respondent, which alleges violations of the Texas Occupations Code, Chapter 302, and grounds to take disciplinary action against Respondent.

An informal conference was held on October 9, 2002, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Terrie L. Hairston, R.N., C.H.E., Hearing Officer, assisted by Ms. Janette Bowers, member of the Board of Vocational Nurse Examiners. Respondent was present and was represented by counsel.

The conference was attended by Shelly Johnson, LVN, Investigator for the Board, and Mr. Eugene Clayborn, Assistant Attorney General. By their notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing and a Formal Hearing of the Complaint before the Board, and to judicial review of this disciplinary action after this Order is ratified by the Board.

AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
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After reviewing the Complaint and information provided at the informal conference, Respondent agrees to the entry of an Order dispensing with the need for further proceedings on the Complaint. By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the allegations stated in the Complaint. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, that license number 144282, heretofore issued to MARY HELEN WALDROP to practice vocational nursing in the State of Texas be, and the same is hereby Suspended, with said suspension stayed and placed on probation for a period of two (2) years.

The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.
2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Texas Occupations Code and Rules and Regulations of the Board.
3. That Respondent shall not practice nursing in a Nurse Licensure Compact remote state without obtaining prior written authority of both the BVNE and the Board of Nursing of the remote state.

AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
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4. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.
5. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.
6. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. five.
7. That if Respondent is employed as a private duty, temporary agency, or home health nurse, Respondent shall cause his/her nurse supervisor(s) to conduct and document weekly supervisory reviews and/or supervised visits of all medical records of patients assigned to Respondent. While so employed, Respondent shall be responsible for causing his/her nurse supervisor(s) to submit said required documentation in the form of satisfactory reports directly to the Board office, as provided in Stipulation No. five.
8. That Respondent shall attend a Chemical Dependency Support Group, (A.A./N.A.), and shall be responsible for causing his/her program sponsor to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.
9. That Respondent shall and hereby agrees to abstain from the consumption of Alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or use of unprescribed controlled substances. Any controlled or legend medication must be prescribed by a physician knowledgeable about the disease of addiction, as well as Respondent's history, and it is incumbent upon Respondent to ensure such physician knowledge. If prescribed medication, RESPONDENT SHALL CAUSE the attending physician to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the Board office by the prescribing physician, within ten (10) days of the date of the prescription.
10. That Respondent shall through the Board's agent (NCPS, Inc.), submit to random urine drug screens.
11. That Respondent shall be responsible daily for telephoning NCPS, Inc., Voice Response (VR) at 1-800-580-1099. That said drug screen shall be administered through the policies and procedures of the National Confederation of Professional Services, Inc. (NCPS, Inc.), utilizing LabCorp facilities. That said drug-screening panel shall consist of the following:

**AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
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Alcohol (Ethanol)	Cannabinoids	Methaqualone
Amphetamines	Cocaine	Opiates
Barbiturates	Meperidine	Phencyclidine
Benzodiazepines	Methadone	Propoxyphene

Said screen(s) shall be properly monitored with adherence to chain of custody procedures. A positive result shall be legally confirmed by Gas Liquid Chromatography/Mass Spectrometry (GCMS). The results of said screen(s) shall be submitted directly to the Board office by the laboratory. The expense of said screen(s) shall be borne by Respondent. Any report of failure to contact NCPS, Inc., and/or a positive drug screen for which the Respondent does not have a valid prescription, will be regarded as non-compliance with the terms of this order and may subject the Respondent to further disciplinary action by the Board.

12. That Respondent shall obtain counseling, and shall be responsible for causing his/her counselor to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The expense of said counseling shall be borne by Respondent. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

13. That Respondent shall be responsible for causing his/her probation officer to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

14. That if Respondent is discharged from court ordered probation prior to completion of this probationary term, Respondent shall be responsible for causing his/her probation officer to submit a satisfactory report directly to the Board office.

15. That Respondent shall successfully complete nursing program course(s) encompassing the following areas of study: **Nursing Ethics**, and submit documentation of successful course completion to the Board office within the first six (6) months of probation. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to committing to said course(s). Said course(s) shall be through correspondence (through a recognized provider), in-house at a community college, university or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent. Failure to successfully complete said course(s) within the time frame stipulated, shall be considered a violation of probation.

16. That Respondent pay a Probation Monitoring fee in the amount of thirty (\$30.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter commencing the quarter following the date of the Board's ratification of the Order, and continuing thereafter until the successful completion of Respondent's

AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
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probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to make any quarterly payment on time shall constitute a violation of probation.

17. That Respondent shall return their license to the Board office for a replacement license marked "PROBATION" and pay a license re-issue fee in the amount of twenty (\$20.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said return of license and fee shall be made not later than thirty (30) days following the date of the Board's ratification of the Agreed Board Order. Said license and fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to return said license or pay said fee shall constitute a violation of probation.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 9th day of October, 2002.

APPROVED:

Courtney Newton
COURTNEY NEWTON
Attorney for Respondent

Mary Helen Waldrop
Signature of Respondent

P.O. Box 2
Current Address

THORN HON TX 76687
City, State and Zip

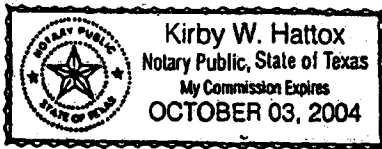
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Area Code and Telephone Number

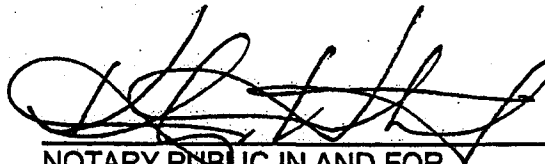
AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
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The State of Texas
County of TRAVIS

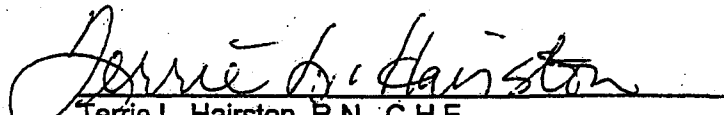
Before me, the undersigned authority, on this day personally appeared MARY HELEN WALDROP who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me this the 9th day of October, 2002.





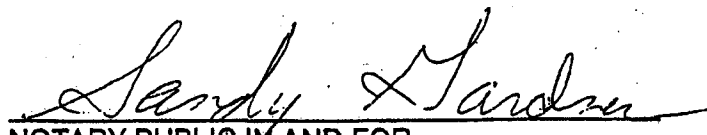
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



Terrie L. Hairston, R.N., C.H.E.,
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 31st day of October, 2002.



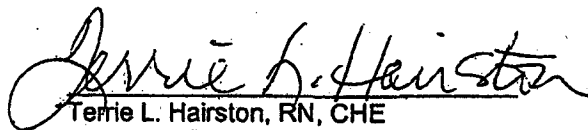


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
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WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse
Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order,
notarized on the 9th day of October, 2002 by Respondent, license number 144282 and that
Said Order is Final.

Effective this 3rd day of December, 2002



Terrie L. Hairston, RN, CHE
Executive Director
On Behalf of Said Board

BOARD ORDER

RE: MARY HELEN WALDROP, LVN #144282

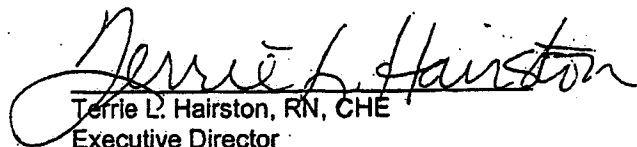
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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of December, 2002, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

MARY HELEN WALDROP
PO BOX 2
THORNTON TX 76687

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ATTORNEY AT LAW
4705 SPICEWOOD SPRINGS RD
STE 100
AUSTIN TX 78759


Terrie L. Hairston, RN, CHE
Executive Director
Agent for the Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE
EXAMINERS

STATE OF TEXAS

VS.

MARY HELEN WALDROP

COUNTY OF TRAVIS

COMPLAINT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Shelly Johnson, LVN, who after being by me duly sworn, did depose and say:

As an Investigator for the Board of Vocational Nurse Examiners, I, Shelly Johnson, LVN, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against MARY HELEN WALDROP, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 144282, hereinafter called Respondent.

I.

a. On or about April 12, 2002, the Board of Vocational Nurse Examiners received a written referral from the Texas Peer Assistance Program for Nurses (TPAPN) alleging that Respondent was non-compliant.

II.

a. Respondent was employed as a licensed vocational nurse at Limestone Medical Center in Groesbeck, Texas from on or about August 10, 1993 through about March 30, 2002.

COMPLAINT
RE: MARY HELEN WALDROP, LVN #144282
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- b. While so employed at said facility, on or about December 14, 2001, Respondent attempted to fraudulently obtain hydrocodone by calling in an unauthorized prescription to a pharmacy.
- c. On or about May 29, 2002, the Board of Vocational Nurse Examiners received a computerized Criminal History Report from the Texas Department of Public Safety showing that Respondent had been convicted of a misdemeanor.
- d. On September 6, 2001, Respondent was convicted of the misdemeanor offense of DWI, in the County Court at Law of McLennon County, Texas under Case No. 2011314CR2. As a result of said conviction, Respondent was placed on probation for a period of one (1) year. On July 3, 2002, a Motion to Revoke Probation was filed alleging a probation violation in that Respondent committed an offense of theft over \$50.00, in the County Court at Law Number Two of McLennon County, Texas. As a result of said motion, a Warrant and Capias was issued.
- e. Respondent has been convicted of a crime, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said conviction is inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires knowledge and familiarity of drugs, and compliance with drug laws.

III.

The foregoing acts constitute unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (10) and Rule 239.11 of the Rules and Regulations of the Board of Vocational Nurse Examiners, Title 22, Texas Administrative Code. Rule 239.11, provides in pertinent part that "Unprofessional Conduct" shall include, but not be limited to:

- (5) passing or attempting to pass forged, altered, falsified or unauthorized prescription(s) by electronic, telephonic, written communication or any other means;

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RE: MARY HELEN WALDROP, LVN #144282

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- (6) obtaining or attempting to obtain or deliver medication(s) through means of misrepresentation, fraud, forgery, deception, and/or subterfuge;
- (7) knowingly falsifying and/or forging a physician's order/prescription;
- (28) violating state or federal laws relative to drugs, including controlled substances and dangerous drugs;
- (29) being convicted of a crime that relates to the practice of vocational nursing.
 - (A) Those crimes which the Board considers to be directly related to the duties and responsibilities of a licensed vocational nurse shall include, but are not limited to:
 - (iv) offenses related to drugs/alcohol.

IV.

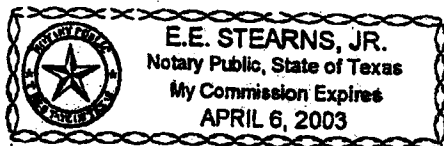
The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code, Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, warning, denial of licensure and/or imposition of administrative penalties (fines), may be recommended by the Board. Pursuant to Board Rule 239.19 the Board may assess penalties (fines), in the minimum amount of two hundred fifty dollars (\$250.00), not to exceed two thousand dollars (\$2,000.00).

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WHEREFORE, PREMISES CONSIDERED, I, Shelly Johnson, LVN, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against MARY HELEN WALDROP, LVN #144282, in accordance with the provisions of the laws of the State of Texas.

Shelly Johnson LVN
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Shelly Johnson, LVN, on this the day 12th September 2002.



[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires April 6, 2003

Filed with the Board of Vocational Nurse Examiners on the 12th day of September 2002.

[Signature]
Kirby W. Hattox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners

BEFORE THE BOARD OF NURSE EXAMINERS
IN AND FOR THE STATE OF TEXAS

In the matter of Permanent
License Number 144282 issued
to MARY HELEN WALDROP

ORDER OF THE BOARD

TO: MARY HELEN WALDROP
P.O. BOX 2
THORNTON, TEXAS 76687

WHEREAS, MARY HELEN WALDROP has submitted to the Board an affidavit that he/she no longer desires to be licensed as a vocational nurse, and that he/she is voluntarily surrendering their license, the Board takes the following action:

ORDER

NOW THEREFORE, IT IS ORDERED that license number 144282, heretofore issued to MARY HELEN WALDROP, to practice vocational nursing in the State of Texas be, and the same is hereby revoked without formal charges, Notice of Hearing, or a formal hearing before the Board of Nurse Examiners.

Entered this the 22nd day of April, 2004.



Katherine A. Thomas, MN, RN
Executive Director
Board of Nurse Examiners

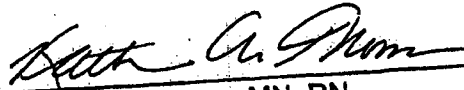
SWORN TO AND SUBSCRIBED before me, the under signed authority, on this the 22nd day of April, 2004.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

RE: MARY HELEN WALDROP, LVN #144282
BOARD ORDER
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WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby accept the Affidavit notarized on the 1st day of December 2003, by MARY HELEN WALDROP, LVN #144282, that the Board hereby ratifies and adopts the Final Order.

Effective this 22nd day of April, 2004.



Katherine A. Thomas, MN, RN
Executive Director
On Behalf of Said Board

STATE OF TEXAS

COUNTY OF Limestone

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared MARY HELEN WALDROP, LVN #144282, who being by me duly sworn, deposes as follows:

My name is MARY HELEN WALDROP, I am over 18 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am a Licensed Vocational Nurse in the State of Texas and I am voluntarily surrendering my license to the Board of Vocational Nurse Examiners because I no longer desire to be licensed.

I understand that through this action the Board of Vocational Nurse Examiners may revoke my license without formal charges, notice, or a hearing.

I hereby waive my right to appeal or complain of any Order entered by the Board of Vocational Nurse Examiners accepting the voluntary surrender of my license.

Mary Waldrop
Affiant

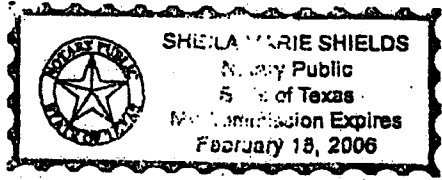
PO Box 2
Current Address

Thornton TX 76687
City, State and Zip

254.385.6837
Telephone Number

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on the 1 day of December 2005.

Sheila Marie Shields
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 2/18/06



BOARD OF VOCATIONAL NURSE
EXAMINERS

STATE OF TEXAS

VS.

MARY HELEN WALDROP

COUNTY OF TRAVIS

COMPLAINT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lynda G. Pringle, who after being by me duly sworn, did depose and say:

As an Investigator for the Board of Vocational Nurse Examiners, I, Lynda G. Pringle, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against MARY HELEN WALDROP, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 144282, hereinafter called Respondent.

I.

- a. On or about December 3, 2002, the Board of Vocational Nurse Examiners ratified an Agreed Board Order in which Respondent's license to practice vocational nursing in Texas was suspended, with said suspension stayed and placed on probation for a period of two (2) years.
- b. Said order stipulated in part that Respondent submit to random drug screens. Said order also stipulated that Respondent be responsible for causing her counselor to submit satisfactory reports to the Board on a quarterly basis throughout the term of probation.
- c. Respondent has failed to telephone NCPS Voice Response on a daily basis for drug screening. Respondent has also failed to have her counselor submit satisfactory reports to the Board on a quarterly basis.
- d. By said conduct, Respondent has violated the terms of her Agreed Board Order.

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II.

a. On or about March 31, 2003, Respondent submitted her Licensure Renewal Application to the Board of Vocational Nurse Examiners. On said Application, Respondent answered "yes" to the question asking "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

b. On or about December 5, 2002, Respondent was convicted of the Misdemeanor Offense of: THEFT, in the County Court of Limestone County, Texas, under Cause Number 27170. As a result of said conviction, Respondent was placed on probation for a period of six (6) months.

c. Respondent has been convicted of a crime, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said conviction is inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires the maintenance of accurate and complete records, and safeguarding personal property of the patient, client, and employer.

III.

Respondent has been convicted of a crime of the grade of a misdemeanor that relates to the practice of vocational nursing, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (3) (B).

IV.

The foregoing acts constitute unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (10) and Rule 239.11 of the Rules and Regulations of the Board of Vocational Nurse Examiners, Title 22, Texas Administrative Code. Rule 239.11, provides in pertinent part: that "Unprofessional Conduct" shall include, but not be limited to:

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- (27) failing to conform to the minimal standards of acceptable prevailing practice, regardless of whether or not actual injury to any person was sustained;
- (29) being convicted of a crime that relates to the practice of vocational nursing;
 - (A) Those crimes which the Board considers to be directly related to the duties and responsibilities of a licensed vocational nurse shall include, but are not limited to:
 - (iii) offenses involving fraud, dishonesty or deceit.

V.

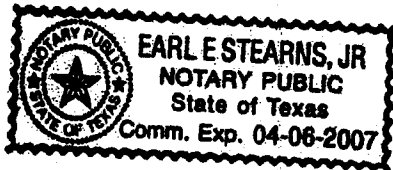
The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code, Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, warning, denial of licensure and/or imposition of administrative penalties (fines), may be recommended by the Board. Pursuant to Board Rule 239.19 the Board may assess penalties (fines), in the minimum amount of two hundred fifty dollars (\$250.00), not to exceed two thousand dollars (\$2,000.00).

WHEREFORE, PREMISES CONSIDERED, I, Lynda G. Pringle, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against MARY HELEN WALDROP, LVN #144282, in accordance with the provisions of the laws of the State of Texas.

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RE: MARY HELEN WALDROP, LVN #144282
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Lynda G. Pringle
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Lynda G. Pringle, on this the 4th day of August 2003.



[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Filed with the Board of Vocational Nurse Examiners on the 4th day of August 2003.

[Signature]
Kirby W. Hatfox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners