



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.
Patricia P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 88164 §
issued to MARGARET FAYE HOEFER § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 88164, issued to MARGARET FAYE HOEFER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 Baccalaureate Degree in Nursing from Navarro College, Corsicana, Texas, on September 2, 1980. Respondent was licensed to practice vocational nursing in the State of Texas on October 21, 1980.
5. Respondent's vocational nursing employment history is unknown.

6. On or about April 4, 2007, Respondent pled Guilty and was convicted of POSSESSION OF CONTROLLED SUBSTANCE PG 1<1G, a State Jail Felony offense committed on March 4, 2007, in the 249th Judicial District Court of Johnson County, Texas, under Cause No. 9121334692. As a result of the conviction, Respondent was sentenced to confinement in the State Jail Division of the Texas Department of Criminal Justice for a period of two (2) years; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years and ordered to pay a fine, court costs and restitution in the amount of one hundred forty dollars (\$140).

On or about July 7, 2009, a JUDGMENT REVOKING the community supervision Respondent had been granted on April 4, 2007, was entered in the 249th Judicial District Court of Johnson County, Texas. As a result, Respondent was sentenced to confinement in the State Jail Division of the Texas Department of Criminal Justice for a period of six (6) months with one hundred twenty-nine (129) days time credited.

7. In response to Finding of Fact Number Six (6), Respondent states she was arrested by Alvarado Police department and charged with Possession of CS PG<1G. Subsequently, she was released with a 5 year probation. During the probation period her life became very stressful with work and her mother's passing. As a result, she relapsed a couple of times and had enough. Upon being released from prison, she moved away from all the people, places and things that were bringing her down. Respondent attends monthly COPSD meetings and will be 3 years clean on April 27, 2012.
8. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.
9. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
10. 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.

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)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13), and requires revocation pursuant to Section 53.04 (8) of the Texas Occupations Code.

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 88164, heretofore issued to MARGARET FAYE HOEFER, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 88164, heretofore issued to MARGARET FAYE HOEFER, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

RESPONDENT'S CERTIFICATION

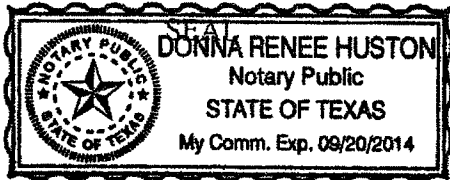
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 13 day of July, 2012.

Margaret Faye Hoefler
MARGARET FAYE HOEFER, Respondent

Sworn to and subscribed before me this 13th day of July, 2012.

Donna Huston
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 the voluntary surrender of Vocational Nurse License

Number 88164, previously issued to MARGARET FAYE HOEFER.



Effective this 18th day of July, 2012.

Katherine A. Thomas

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