

*Patricia Coleman*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of Permanent	\$
Vocational Nurse License Number 200992	\$
issued to ANTHONY HOWARD CANTRELL	\$

## ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 200992, issued to ANTHONY HOWARD CANTRELL, 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.

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

## FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate from El Centro College, Dallas, Texas, on August 5, 2005, Respondent was licensed to practice vocational nursing in the State of Texas on October 13, 2005.
4. Respondent's complete vocational nursing employment history includes:

10/05-07/08	LVN	Dallas Regional Medical Center Dallas, Texas
08/08-09/08	Unknown	
9/08-12/09	LVN	Willowbend Care Center Mesquite, Texas
01/10-11/11	Unknown	
12/11-06/12	LVN	Select Specialist of Pain, LLC Rowlett, Texas

5. Formal Charges were filed on July 5, 2012. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
6. Formal Charges were mailed to Respondent on July 5, 2012.
7. On July 20, 2012, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated July 18, 2012, is attached and incorporated herein by reference as part of this Order.
8. 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.
9. 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 violation(s) of 22 TEX. ADMIN. CODE § 217.11(1)(B) & (T) and 22 TEX. ADMIN. CODE § 217.12(1)(A),(B)&(E),(4),(5),(6)(H),(8),(10)(A)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 200992, heretofore issued to ANTHONY HOWARD CANTRELL, 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, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452(b), Texas Occupations Code, and 22 TAC §§ 213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 200992, heretofore issued to ANTHONY HOWARD CANTRELL, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of 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 of vocational nurse or the abbreviation "LVN" or wear any insignia identifying himself 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.

Effective this 25 day of July, 2012.

TEXAS BOARD OF NURSING



By: \_\_\_\_\_

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

Anthony Howard Cantrell  
923 N. Alamo Road  
Rockwall, Texas 75087  
Texas Vocational Nursing License #200992

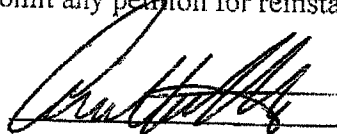
Voluntary Surrender Statement

~~June~~ July 18, 2012

Dear Texas Board of Nursing:

I no longer desire to be licensed as a Vocational nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I Anthony Howard Cantrell waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature



Date

7/18/12

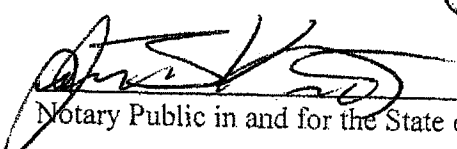
Texas Nursing License Number/s 200992

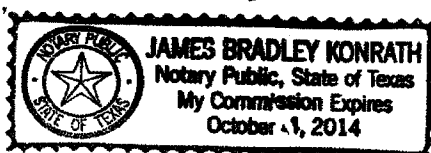
The State of Texas

Before me, the undersigned authority, on this date personally appeared Anthony Howard Cantrell who, being duly sworn by me, stated that he executed the above for the purpose therein contained and that he understood same.

Sworn to before me the 18 day of July, 2012.

SEAL

  
Notary Public in and for the State of Texas



In the Matter of Permanent License	§	BEFORE THE TEXAS
Number 200992, Issued to	§	
ANTHONY HOWARD CANTRELL, Respondent	§	BOARD OF NURSING

### FIRST AMENDED FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANTHONY HOWARD CANTRELL, is a Vocational Nurse holding license number 200992, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

#### CHARGE I.

On or about December 4, 2009, while employed as a Licensed Vocational Nurse with Willowbend Care Center, Mesquite, Texas, Respondent lacked fitness to practice nursing in that he showed signs of impaired behavior to include: slurred speech, bloodshot eyes, and stumbling gait. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(12), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4)&(5).

#### CHARGE II.

On or about December 5, 2009, while employed as a Licensed Vocational Nurse with Willowbend Care Center, Mesquite, Texas, Respondent misappropriated five (5) vials of Lorazepam 2mg from the facility and patients thereof, or failed to take precautions to prevent such misappropriation in that when Respondent was arrested by the Rockwall Police Department, Rockwall, Texas, the arresting Police Officer removed five (5) empty vials of Lorazepam 2mg from his person and his car. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(6)(G)&(8).

#### CHARGE III.

On or about June 25, 2012, while employed as a Licensed Vocational Nurse with Summit Pain Specialist of Pain, LLC, Rowlett, Texas, Respondent lacked fitness to practice nursing in that he was found unconscious with a tourniquet around and needle sticking out of his arm, while on duty and

assigned to patient care. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10),(12)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(B)&(1)(T) and 217.12(1)(A),(B)&(E),(4)&(5)

#### CHARGE IV.

On or about June 25, 2012, while employed as a Licensed Vocational Nurse with Summit Specialist of Pain, LLC, Rowlett, Texas, Respondent engaged in the intemperate use of Propofol in that he admitted to co-workers that he had misappropriated Propofol from the "crash cart" and self-administered it to himself while on duty and assigned to patient care. Unlawful possession of Propofol is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Propofol by a Licensed Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patients condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(5),(8),(10)(A)&(11)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

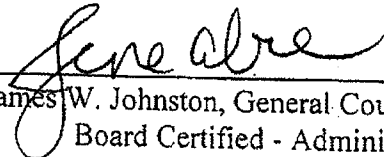
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Fraud, Theft and Deception, which can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.texas.gov/disciplinaryaction/discp-matrix.html](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

Filed this 5<sup>th</sup> day of July, 2012.

TEXAS BOARD OF NURSING

  
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Board Certified - Administrative Law  
Texas Board of Legal Specialization  
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