

IN THE MATTER OF
PERMANENT VOCATIONAL NURSE
LICENSE NUMBER 143385
ISSUED TO
JENNIFER DAWN HOLT

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§
§

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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. Plummer
Executive Director of the Board

ORDER OF THE BOARD

TO: JENNIFER DAWN HOLT
1501 7TH ST. N.
TEXAS CITY, TX 77590

During open meeting held in Austin, Texas, on , the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order

will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 143385, previously issued to JENNIFER DAWN HOLT, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 14th day of August, 2012.

TEXAS BOARD OF NURSING



BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed April 23, 2012.

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 143385, Issued to §
JENNIFER DAWN HOLT, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JENNIFER DAWN HOLT, is a Vocational Nurse holding license number 143385, which is in delinquent 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 August 21, 2009, while employed as a Licensed Vocational Nurse with PSA Healthcare, Bellaire, Texas, Respondent lacked fitness to practice nursing in that she showed signs of impaired behavior to include: slurred speech, not making any sense when speaking, unable to pick up her documents that had fallen to the floor, and falling out of her chair multiple times. Respondent's condition could have affected her 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), 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 II.

On or about August 22, 2009, while employed as a Licensed Vocational Nurse with PSA Healthcare, Bellaire, Texas, Respondent engaged in the intemperate use of Amphetamines and Propoxyphene in that she submitted a specimen for a drug screen that produced a positive result for Amphetamine and Propoxyphene. Unlawful possession of Amphetamines and Propoxyphene is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Amphetamines and Propoxyphene 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),(10)(A)&(11)(B).

CHARGE III.

On or about July 1, 2010, while participating in the Texas Peer Assistance Program for Nurses Respondent engaged in the intemperate use of Alcohol in that she submitted a specimen for a drug screen that produced a positive result for Alcohol (Ethanol 0.020%). The use of alcohol 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),(10)(A)&(11)(B).

CHARGE IV.

On or about August 13, 2010, while participating in the Texas Peer Assistance Program for Nurses Respondent engaged in the intemperate use of Alcohol in that she submitted a specimen for a drug screen that produced a positive result for Alcohol (Ethanol 0.065%). The use of alcohol 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),(10)(A)&(11)(B).

CHARGE V.

On or about September 17, 2010, while participating in the Texas Peer Assistance Program for Nurses Respondent engaged in the intemperate use of Alcohol in that she submitted a specimen for a drug screen that produced a positive result for Alcohol (ETG 2769 ng/mL and ETS 673 ng/mL). The use of alcohol 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),(10)(A)&(11)(B).

CHARGE VI.

On or about February 16, 2011, Respondent entered a plea of "No Contest or Nolo Contendere" to THEFT OF PROPERTY \geq \$50 \leq \$500 (a Class B Misdemeanor offense committed on December 13, 2010) in the County Court Number 2, Galveston County, Texas, under Cause No. 033103100101. As a result of the plea, the proceedings against her were deferred without entering an adjudication of guilt and Respondent was placed on Community Supervision for a period of six (6) months. Additionally, Respondent was ordered to pay court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3), Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(11)(B)&(13).

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).

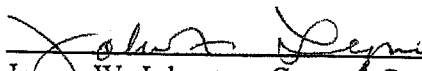
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

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, which can be found at the Board's website, 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.

Filed this 23rd day of April, 2012.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel

Board Certified - Administrative Law
Texas Board of Legal Specialization
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Jena Abel, Assistant General Counsel
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TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460

Austin, Texas 78701

P: (512) 305-6824

F: (512) 305-8101 or (512)305-7401

Re: Permanent Vocational Nurse License Number 143385
Issued to JENNIFER DAWN HOLT
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of August, 2012, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

JENNIFER DAWN HOLT
1501 7TH ST. N.
TEXAS CITY, TX 77590

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD