

BOARD OF VOCATIONAL NURSE EXAMINERS 9101 BURNET ROAD - SUITE 105 **AUSTIN, TEXAS 78758** TELEPHONE 512/835-2071

Movember 10, 1995

Thomas B. Owens, Jr. P.O. Box 892 Nash, Texas 75569

Dear Mr. Owens:

In January, 1995, this office mailed you vocational nursing license 078996.

ERROR AND MUST BE RETURNED THYS LICENSE WAS MAILED TO YOU IN HACEDIATELY.

Your license to practice vocational nursing in Texas was suspended by the Board in September 1982. You may not practice vocational nursing in Texas until such time as you appear at a reinstatement hearing and your license is reinstated by the Board.

RETURN THE LICENSE to the Board office addressed to the attention of Elsie Cyrs, Licensing Division.

The Vocational Nurse Act, Article 4528c, Section 2, V.A.C.S., prohibits the practice of vocational nursing while the person's license is suspended or revoked. Violation of this prohibition is a Class B Misdemeanor, punishable by a fine and/or jail term, upon conviction. You must immediately cease practicing as a vocational nurse, or you may be ambject to prosecution for this offense.

If you have any questions concerning this matter, please contact this office.

Sincerely

Supervising Investigator

cc: Regular Mail

(Certified - RRR)

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See Ravers

PE Form 3800, March 1993

SENDER: • Complete factor 1 and/or 2 for additional condens. • Complete terms 3, 4e, and 4b. • Print your name and address on the reverse of this form so the card to you. • Attach this form to the front of the maliplece, or on the back if permit. • White "Return Receipt Requester" on the maliplece below the of the Return Receipt will show to whom the article was delivered.	rticle number. 2. Restricted	ior an 's Address Delivery
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BOARD OF VOCATIONAL NURSE EXAMINERS

9101 BURNET ROAD - SUITE 105 AUSTIN, TEXAS 78758 TELEPHONE 512/835-2071

November 15, 1995

Thomas B. Owens, Jr. P.O. Box 892 Nash, TX 75569

Dear Mr. Owens:

This letter will confirm our telephone conversation this date regarding our November 10, 1995 letter to you concerning your vocational nursing license number 078996.

As discussed, you will mail to this office (at the new address, 333 Guadalupe Street, Suite 3-400, Austin, Texas 78701, addressed to my attention) on November 20, 1995, the following:

- 1. Your vocational nursing license number 078996 (issued to you in error);
- 2. A letter from you requesting to be scheduled for a reinstatement hearing;
- 3. A copy of your refresher course information, reflecting that you satisfactorily completed the course; and
- 4. A letter from your nursing supervisor(s) referencing your job performance and nursing skills for the past year.

Upon receipt of this information we will begin processing your reinstatement request.

I have enclosed the information concerning the required psychological and medical evaluations. Schedule the tests and call me on November 27, 1995 at 512/305-8100 to confirm that they are being done.

The next available date for a reinstatement hearing is in February, 1996. We will schedule you for a reinstatement hearing at that time, but you must submit the evaluations, and any other information you wish to present on your behalf, to this office prior to February.

If you will look at Page 2 of the Reinstatement Information Sheet you will see the "five year" rule which I referred to during our conversation. Since you have practiced vocational nursing in this state within the past year, we will waive this rule at the time of your hearing, if we receive the previously requested letter from your nursing supervisor referencing your competency to practice as a licensed vocational nurse.

Remember, reinstatement of your license is not a guarantee. You have the burden of proof to show that you are fit and rehabilitated to practice vocational nursing.

If you have any questions concerning this matter, please contact me.

Sincerely,

Patřicia Cook Investigator



BOARD OF VOCATIONAL NURSE EXAMINERS

9101 BURNET ROAD - SUITE 105 AUSTIN, TEXAS 78758 TELEPHONE 512/835-2071

PSYCHOLOGICAL EVALUATION

Pormat:

Narrative Report

Content to Include:

- 1. Identifying Information.
- 2. Reason for Evaluation.
- 3. Credentials of Examiner.
- 4. Date of Evaluation.
- 5. Method of Evaluation Tests Administered.
- 6. Background of Client:
 - developmental history
 - family origin
 - education
 - marital history
 - vocational history
 - legal problems
 - psychological/psychiatric history and current status
 - medical history and current status
 - alcohol/drug history and current status
- 7. Evaluation/Test Behavior.
- 8. Test Results.
- 9. Mental Status Examination.
- 10. Personality Functioning:
 - strengths/weaknesses
 - dynamics relevant to fitness to practice
- 11. Diagnostic Impression.
- 12. Conclusions.
- 13. Recommendations (treatment, practice limitations, additional evaluations, etc.)



BOARD OF VOCATIONAL NURSE EXAMINERS 9101 BURNET ROAD - SUITE 105 AUSTIN, TEXAS 78758 TELEPHONE 512/835-2071

MEDICAL EVALUATION

Please prepare a narrative report on your letterhead to include:

- A. Date of Medical Examination.
- B. Medical History.
- C. Review of systems.
- D. Physical examination (including neurological).
- E. Diagnosis.
- F. Narrative summary of Urinalysis, SMAC 20.
- G. Alcohol and Drug Screen.
- H. Evidence of use of unprescribed drugs (including alcohol).
- I. Evidence of any physical disease process that requires treatment.
- J. If prescribing any drugs or treatment for this person, please list:
- (1) Type of drugs or treatment (2) projected length of treatment
- K. Identify and describe any practice limitations on this vocational nurse.



BOARD C 333 Guai Tower 3, Austin,

December 19, 1995

Thomas B. Owens, Jr. P.O. Box 892 Nash, Texas 75569

Dear Mr. Owens:

Receipt for Certified Mail
No insurance Coverage Provided
Do not use for international Mail
(See Reverse)
Sent to

Your request for reinstatement of your license to practice vocational nursing in Texas has been reviewed. A reinstatement hearing will be scheduled for the first available hearing date following receipt of the psychological/medical evaluation information as described below. You will be notified in advance of the date, time and location. You must be present for the hearing once it is docketed.

You have the right to have an attorney represent you at your reinstatement hearing. You also have the right to present evidence and testimony to support your request for reinstatement of your license. You have the burden of proof to show that you are presently fit and/or rehabilitated and sufficiently competent to practice vocational nursing.

The Board requires that you obtain at your expense, both a current written psychiatric or psychological and a written medical evaluation. You should begin making arrangements for the evaluations now, as it does take some time. Enclosed please find statements of specific information to be included in the Examiners' reports. These evaluations must be mailed <u>directly</u> to the Board office by the Examiner, <u>prior</u> to the hearing.

You are encouraged to secure letters of character reference from individuals such as clergymen, civic leaders, employers and friends who have personal knowledge of your character. These letters should be notarized, addressed to the "Board of Vocational Nurse Examiners", reference "Dear Board Members" on all correspondence, and be mailed directly to the Board office from these individuals, prior to the hearing.

If applicable to your case, the Board also recommends that you obtain a report from your probation or parole officer, drug or alcohol abuse counselor(s), or other evidence relative to your progress and/or rehabilitation. We request that you have these report(s) mailed <u>directly</u> to the Board office by these individuals, <u>prior</u> to the hearing.

Thomas B. Owens, Jr. December 19, 1995 Page 2

Enclosed, please find an Information Sheet outlining the Board's rules and requirements for consideration of reinstatement of your license. <u>Please READ CAREFULLY and obtain all necessary information</u>. We encourage you to contact the Investigation Division if you have any questions.

Sincerely,

Patricia Cook Investigator

PC/db

Enclosures: Reinstatement Information Sheet, Psychological and Medical

Evaluation Forms

(Certified Mail - RRR)



BOARD OF VOCATIONAL NURSE EXAMINERS

9101 BURNET ROAD - SUITE 105 AUSTIN, TEXAS 78758 TELEPHONE 512/835-2071

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- H. Evidence of use of unprescribed drugs (including alcohol).
- I. Evidence of any physical disease process that requires treatment.
- J. If prescribing any drugs or treatment for this person, please list:
- (1) Type of drugs or treatment (2) Projected length of treatment
- K. Identify and describe any practice limitations on this vocational nurse.

REINSTATEMENT INFORMATION SHEET

Application for Reinstatement

- (a) At the expiration of one (1) year from the date of revocation or suspension, or upon the conclusion of any specified period of suspension, the Board may consider a request for reinstatement by the former licensee (applicant).
- (b) The request for reinstatement must be submitted to the Board office in writing, and should include a short and plain statement of the reasons why the applicant believes the license should be reinstated.
- (c) Upon denial of any application for reinstatement, the Board may not consider a subsequent application until the expiration of one (1) year from the date of denial of the prior application.
- (d) In taking action to revoke or suspend a license, the Board may, in its discretion, specify the terms and condition upon which reinstatement shall be considered.

Evaluation for Reinstatement

- (1) the severity of the act which results in revocation or suspension of the license;
- (2) the conduct of the applicant subsequent to the revocation or suspension of license;
- (3) the lapse of time since revocation or suspension;
- (4) the degree of compliance with all conditions the Board may have stipulated as a prerequisite for reinstatement;
- (5) the degree of rehabilitation attained by the applicant as evidenced by sworn notarized statements sent directly to the Board form qualified people who have personal and professional knowledge of the applicant; and
- (6) the applicant's present qualifications to practice vocational nursing based on his/her history of nursing related employment or education.

Procedure Upon Request for Reinstatement

(a) An applicant for reinstatement of a revoked or suspended license must personally appear at a prehearing conference and/or administrative hearing, at a scheduled date and time to show why the license should be reinstated.

RECHISTATIONAL INFOMMATION SHEET

or her license or show evidence of practice as a licensed vocational nurse in another state or practice as a registered nurse in this state or another state within the past five years.

Applicants for reinstatement are strongly encouraged to phone the Board office (Investigation Division) to clarify any and all requirements for reinstatement. Letters of reference, reports, or other documents submitted must be addressed to the "Board of Vocational Murse Examiners" and reference "Dear Board Monters" on all correspondence.

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FOR PRIVATE US Thomas B. Owens, Jr. P.O. Box 892

Nash, Texas



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RETURN TO SENDER

Certified Mail No Insurance Coverage Provided Do not use for International Mail (See Reverse) Senito Thomas B. Owens, Jr. RR 1, Box 123 Postage Cartified Fee Special Dalivery Fee Restricted Delivery Fee

PS Form 3800, March 1993

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Resent under mail 1-2-96 (New info sheet included) correct address -

P.O. Box 892 Nah, TX 75569

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Receipt for

PC.078996

TOTAL Postage & Fees Postmerk or Date

CARD OF VOCATIONAL

DEC 2 8 1995

REINSTATEMENT INFORMATION SHEET

Application for Reinstatement

- (a) At the expiration of five (5) years from the date of revocation, or at the expiration of one (1) year from the date of voluntary surrender revocation, or upon the conclusion of any specified period of suspension, the Board may consider a request for reinstatement by the former licensee (applicant).
- (b) The request for reinstatement must be submitted to the Board office in writing, and should include a short and plain statement of the reasons why the applicant believes the license should be reinstated.
- (c) Upon denial of any application for reinstatement, the Board may not consider a subsequent application until the expiration of five (5) years from the date of denial of the prior application.
- (d) In taking action to revoke or suspend a license, the Board may, in its discretion, specify the terms and condition upon which reinstatement shall be considered.

Evaluation for Reinstatement

- (1) the severity of the act which results in revocation or suspension of the license;
- (2) the conduct of the applicant subsequent to the revocation or suspension of license;
- (3) the lapse of time since revocation or suspension;
- (4) the degree of compliance with all conditions the Board may have stipulated as a prerequisite for reinstatement;
- (5) the degree of rehabilitation attained by the applicant as evidenced by sworn notarized statements sent directly to the Board form qualified people who have personal and professional knowledge of the applicant; and
- (6) the applicant's present qualifications to practice vocational nursing based on his/her history of nursing related employment or education.

Procedure Upon Request for Reinstatement

(a) An applicant for reinstatement of a revoked or suspended license must personally appear at a prehearing conference and/or administrative hearing, at a scheduled date and time to show why the license should be reinstated.

REINSTATEMENT INFORMATION SHEET Page 2

- (b) An applicant who fails to personally appear at a prehearing conference, or who fails to reach an agreed settlement at a prehearing conference, must personally appear at an administrative hearing.
- (c) Upon submission of proof of past revocation or suspension of the applicant's license, the applicant has the burden of proof to show present fitness and/or rehabilitation to practice vocational nursing.
- (d) An applicant for reinstatement must submit a written psychiatric or psychological evaluation and a written medical evaluation, prior to being scheduled for an appearance at a reinstatement hearing. Said evaluations shall be obtained solely at the applicant's expense, and forwarded directly to the agency by the Examiner. The psychiatric or psychological evaluation must be prepared by a licensed psychiatrist or psychologist and the medical evaluation must be prepared by a licensed physician. Said reports shall include such information as the agency may specifically require, with notice to the applicant.
- (e) Upon receipt of a written request for reinstatement and all information required by subsection (d) of this section, the applicant will be notified of a date and time of their personal appearance at a prehearing conference or administrative hearing.

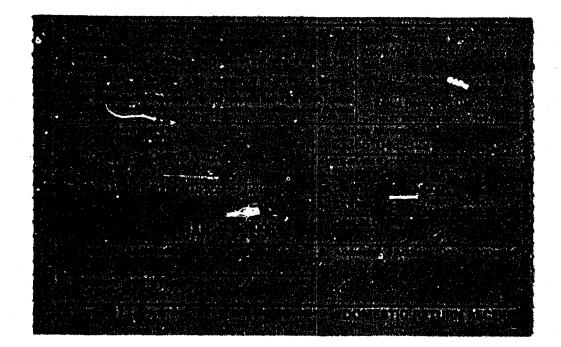
Board Action Possible Upon Reinstelement

- (a) After evaluation, the Board may:
 - (1) deny reinstatement of a suspended or revoked license;
 - (2) reinstate a suspended or revoked license and probate the practitioner for a specified period of time under specific conditions;
 - (3) authorize reinstatement of the suspended or revoked license;
 - (4) require the satisfactory completion of a specific program of remedial education approved by the agency; and
 - (5) require monitoring of the applicant's nursing practice as specified by the Board.
- (b) A nurse whose license has been suspended or revoked for more than five years shall be required to repeat the vocational nursing program and shall take and pass the national licensure examination prior to activation of his

REINSTATEMENT INFORMATION SHEET Page 3

or her license or show evidence of practice as a licensed vocational nurse in another state or practice as a registered nurse in this state or another state within the past five (5) years.

Applicants for reinstatement are strongly encouraged to phone the Board office (Investigation Division) to clarify any and all requirements for reinstatement. Letters of reference, raports, or other documents submitted must be addressed to the "Board of Vocational Nurse Examiners" and reference "Dear Board Members" on all correspondence.



PC078996 Told Maria DI Masa On 1/2/96 Ray our.

BOARD OF VOCATIONAL NURSE EXAMINERS

STATE PENALTY

FOR PRIVATE USE

OFFICIAL BUSINESS

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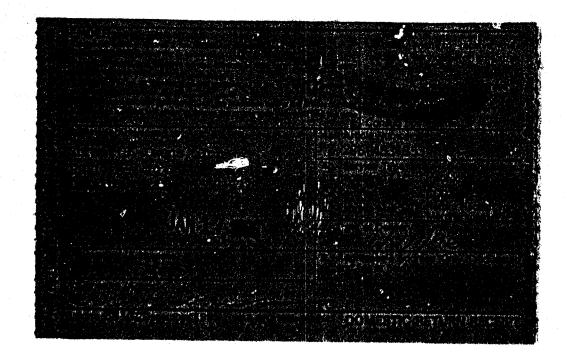
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RETURN TO SENDER

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BOARD OF

333 Guada Tower 3, Austin, T

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January 12, 1996

Thomas Owens P.O. Box 892 Nash, Texas 75569

Certified Mail No. Z 365 043 344

Dear Mr. Owens:

You have filed a written request for reinstatement of your vocational nursing license with the Board of Vocational Nurse Examiners office, stating why you believe your license should be reinstated.

Pursuant to the Board of Vocational Nurse Examiners Rules, you are hereby offered the opportunity to schedule a prehearing conference, to be conducted at the Board's office to determine your eligibility for reinstatement of your vocational nursing license. You may be represented by an attorney prehearing conference, or you may appear without an attorney. The dates of the prehearing conference are February 5-7, 1996. You must contact Patricia Cook, Supervising Investigator, at (512) 305-8100, no later than January 29, 1996, to schedule your prehearing conference. Docket times are assigned by the Board staff. Be advised that conferences may not be held on the last day indicated, if we anticipate that we will not have enough cases to fill the docket.

You must arrive at the Board office at least thirty (30) minutes prior to the scheduled time in order to meet with your case Investigator. Please bring with you a valid form of picture identification (Drivers License, I.D. Card, etc.).

Should you choose not to schedule an appearance prehearing your reinstatement request will be presented Administrative Law Judge with the State Office of Administrative Hearings at a regularly scheduled public meeting, for which you will notification.

A copy of the Board's rules pertaining to prehearing conferences is enclosed. The proceedings relating to the prehearing conference are confidential and your statements made at the hearing will not be offered as evidence at any subsequent hearing in the request for reinstatement. However, if an Order is proposed as a result of the prehearing conference, it will become a Thomas Owens January 12, 1996 Page 2

public record if accepted and endorsed by the Board of Vocational Nurse Examiners;

Due to security concerns, purses, briefcases, backpacks, etc., will not be allowed into the conference chambers. (Attorneys are exempt from this requirement). Please make prior arrangements for the safekeeping of your personal belongings as the Board will not be responsible for these items.

FIREARMS ARE NOT PERMITTED IN THE BOARD OF VOCATIONAL HURSE EXAMINERS OFFICES AND/OR HEARING CHAMBERS.

Should you have questions regarding the prehearing conference procedure, please contact the Investigation Division.

Singerely,

Marjorie A Bronk, R.N. Bronk, RN

Executive birector

MAB/db

Enclosure: Prehearing Conference Rules, Board Location Map

cc: Regular Mail

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BOARD OF VOCATIONAL NURSE EXAMINERS
333 A Guadalupe
Tower 3, Suite 400
Austin, TX 78701



Thomas Owens

P.O. Bux 892 Nash, Texas 75569

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BOARD OF VOCATIONAL NURSE EXAMINERS

333 Guadalupe Tower 3, Suite 400 Austin, TX 78701

March 15, 1996

Thomas B. Owens, Jr. P.O. Box 286
Nash, Texas 75569

Dear Mr. Owens:

The enclosed Agreed Board Order has been endorsed by the Board of Vocational Nurse Examiners and is now in effect.

If you have any questions concerning this matter, please contact the Investigation Division.

Sincerely,

Marjorie A. Bronk, R.N.
Executive Director

MAB/db

Enclosure: Agreed Order

BOARD OF VOCATIONAL NURSE EXAMINERS *

STATE OF TEXAS

VS.

•

THOMAS B. OWENS, JR.

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 078996, previously held by THOMAS B. OWENS, JR., hereinafter called Applicant.

The Board of Vocational Nurse Examiners previously found that Applicant had violated the Vocational Nurse Act, or a rule, regulation or Order issued under the Vocational Nurse Act, Texas Revised Civil Statutes Annotated, Article 4528c. Applicant has submitted a written request for reinstatement of said previously held license.

A prehearing conference was held on February 5, 1996, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Marjorie A. Bronk, R.N., Executive Director of the Board, assisted by Rojelio Cuevas, member of the Board of Vocational Nurse Examiners. Applicant was present and was not represented by counsel.

RE: THOMAS B. OWENS, JR., LVN #078996

PAGE 2

The conference was attended by Patricia Cook, Investigator for the Board, and Roxanne Caperton, Assistant Attorney General. By their notarized signature on this Order, Applicant does hereby waive the right to Notice of Formal Hearing and a Formal Hearing on the Application for Reinstatement before the Board, and to judicial review of this disciplinary action after this Order is endorsed by the Board.

After reviewing the matters relative to the request for reinstatement at the prehearing conference, Applicant agrees to the entry of an Order dispensing with the need for further action on this reinstatement request. By Applicant's signature on this Order, Applicant 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 IT IS ORDERED that license number 078996, previously issued to THOMAS B. OWENS, JR., to practice vocational nursing in the State of Texas be, and the same is hereby reinstated, without stipulations.

RE: .. THOMAS B. OWENS, JR., LVN #078996

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

Agreed to this the 5 day of PO 892 NASY Current Address 203 1832 - 2950 Area Code and Telephone Number

The State of Texas County of Wilann

Before me, the undersigned authority, on this day personally appeared THOMAS B. OWENS, JR., 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.

SMORN TO AND SUBSCRIBED before me this the 5 day of Felmas

PATRICIA ANN CONT. MY COMMISSION FYPICES March 27, 1996

NOTARY PUBLIC IN AND FOR

THE STATE OF TEXAS

My Commission Expires 3-27-98

Marjorie A. Bronk, RN Agent for the (Board of

Vocational Nurse Examiners

RE: THOMAS B. OWENS, JR., LVN \$078996

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the day of Thiringy, 1976.

NOTARY PUBLIC IN AND FOR

THE STATE OF TEXAS

RE: THOMAS B. OWENS, JR., LVN #078996

PAGE 5

ENDORSEMENT OF THE BOARD
TO The Agreed Board Order
in the matter of Vocational Nurse
License No. 078996
Issued to Thomas B. Owens, Jr.

At its regularly called session, on the 12th day of March, 1996, came on to be considered the indicated Agreed Board Order pertaining to Thomas B. Owens, Jr. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered on this the 12th day of March, 1996.

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Ginger Brenner	Cimeter 17x - Upontu
Super Cherry No.	Jellen Kanamaur
Better & Sims	
aliven June	
Lather & Town	



BOARD ORDER

RE: THOMAS B. OWENS, JR., LVN #078996

PAGE: 6

CERTIFICATE OF SERVICE

I hereby certify that on the 12 day of 1996,

a true and correct copy of the foregoing Order was served by placement in the

U.S. Mail, first class, and addressed to the following person(s):

Thomas B. Owens, Jr. P.O. Box 286
Nash, Texas 75569

Marjorie A. Bronk, A.N.

Executive Director

Agent for the Board of Vocational Nurse Examiners