



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 R. Thomas
Executive Director of the Board

BOARD OF VOCATIONAL NURSE EXAMINERS * STATE OF TEXAS
VS. *
*
*
ANGELA DENISE TOMECEK * COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of ANGELA DENISE TOMECEK, an Applicant for Licensure by Examination, hereinafter called Applicant.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Applicant of its intent to take disciplinary action with respect to said Application for Licensure as a result of a subsequent investigation. Said investigation produced evidence indicating that Applicant has engaged in the intemperate use of alcohol or drugs, in violation of Article 4528c, Section 10 (a) (8), Revised Civil Statutes of Texas, in the following manner:

- a. On or about July 29, 1992, Applicant submitted her Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas. On said Application, Applicant answered "yes" to items 30, 31, and 32 asking respectively: "Have you ever been convicted and/or pled guilty to a felony or misdemeanor other than a minor traffic violation?"; "Have you ever been declared judicially incompetent or judicially or voluntarily committed to a psychiatric institution?"; and "Were you or are you currently an intemperate user of drugs?".
- b. Applicant was admitted to the Providence Hospital in Waco, Texas on three (3) occasions during about August, 1988 through about October, 1988 for treatment of a lengthy history of amphetamine abuse and drug induced psychosis.
- c. On or about February 9, 1989, Applicant was convicted of the misdemeanor offense of Driving While Intoxicated, in the County Court of McLennan County Texas, under Cause No. 882027CR1. As a result of said conviction, Applicant was fined \$100.00.
- d. Said conviction is inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that

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said occupation requires knowledge and familiarity of drugs, and compliance with drug laws.

e. With said application for licensure, Applicant submitted a written statement acknowledging her past substance abuse, and supportive documentation referencing her continuing efforts toward rehabilitation.

By Applicant's signature on this Order, Applicant neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Applicant's signature on this Order, Applicant acknowledges that she has read and understood this Order and has approved it for consideration by the Board.

By her notarized signature on this Order, Applicant does hereby waive the right to Notice of a Formal Hearing, and a Formal Hearing before the Board of Vocational Nurse Examiners, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

THEREFORE, PREMISES CONSIDERED, The Board of Vocational Nurse Examiners does hereby order that ANGELA DENISE TOMECEK be allowed to write the examination for license and upon obtaining a passing score be issued a license to practice vocational nursing in the State of Texas. Said license shall be suspended, with said suspension stayed and placed on probation for a period of eighteen (18) months.

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

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1. That by copy of this Board Order, Applicant shall provide notice of Board disciplinary action to her nursing employer(s), throughout the term of probation.
2. That Applicant shall cause her nursing employer(s) to submit satisfactory reports to the Board office on a monthly basis for the first six (6) months of probation. Thereafter, and throughout the remainder of said probation, Applicant shall cause her nursing employer(s) to submit satisfactory reports to the Board office on a quarterly basis.
3. That Applicant shall work only under the direct supervision of a licensed medical professional throughout the term of probation.
4. That Applicant shall not be employed by a nurse registry/temporary nurse agency or as a private duty nurse throughout the term of probation.
5. That Applicant shall not work in an autonomous nursing position throughout the term of probation.
6. That Applicant shall not work in the position of charge nurse throughout the term of probation.
7. That Applicant shall not be the only licensed medical professional person in the facility.
8. That Applicant shall attend weekly meetings of Alcoholics Anonymous (A.A.) or Narcotics Anonymous (N.A.), and shall cause her program sponsor/counselor to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.
9. That Applicant shall submit to random periodic blood alcohol and urine drug screen(s) upon demand of the Board staff throughout the term of probation. Said screen(s) shall be properly monitored with adherence to chain of custody procedures. The results of said screen(s) shall be submitted to the Board office by the laboratory. The expense of said screen(s) shall be borne by Applicant.
10. That Applicant shall obtain counseling and cause her counselor to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation. The expense of said counseling shall be borne by Applicant.
11. That any period(s) of unemployment must be documented in writing by Applicant and submitted directly to the Board office on a quarterly basis throughout the term of probation.
12. Further, that if Applicant's place of employment, name, address or telephone number changes, Applicant is to notify the Board office immediately.
13. It is also ordered that ANGELA DENISE TOMECEK shall comply with all the provisions of Article 4528c, Revised Civil Statutes of Texas.

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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 present and voting, at its next regularly called session.

Dated this the 26th day of August, 1992.

Angela Denise Tomecek
Signature of Applicant

2316 North 49 Street
Current Address

Waco, Texas 76710
City, State and Zip

817 / 753-3934
Area Code and Telephone Number

The State of Texas
County of McLennan

Before me, the undersigned authority, on this day personally appeared ANGELA DENISE TOMECEK, 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 26th day of August, 1992.



Kitty Hawthorne
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 11-05-92

Marjorie A. Bronk
Marjorie A. Bronk, R.N.
Agent for the Board of
Vocational Nurse Examiners

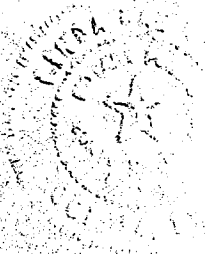
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SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this
the 3rd day of September, 1997.



Linda Sue Hunt
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

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ENDORSEMENT OF THE BOARD
To The Agreed Board Order
in the matter of ANGELA DENISE TOMCEK
EXAM APPLICANT

At its regularly called session, 15th day of September, 1992, came on to be considered the indicated Agreed Board Order pertaining to ANGELA DENISE TOMCEK. 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 this the 15th day of September, 1992.

Nancy J. Clark L
Cathy L. Leford
Annie M. Robertson
Concepcion M. Dadd
Virginia M. Bauman

Betty J. McMorrell
Paul Robinson
Charlotte J. Sifford-Lew
Stella Lewis
Boris A. Parker

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of September, 1992,
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):

Angela Denise Tomecek
2316 North 49th
Waco, Texas 76710

Marjorie A Bronk, R.N.
Marjorie Bronk, R.N.
Executive Director
Agent for the Board of Vocational Nurse Examiners

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

June 15, 1994

Angela Tomecek
2316 North 49th
Waco, TX 76710

Dear Ms. Tomecek:

You have successfully completed your term of probation as stipulated by the Board of Vocational Nurse Examiners.

All pertinent information will remain in your permanent records. We urge you in the future to promote and uphold the ethical standards a Licensed Vocational Nurse should practice.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Hudson".

Carolyn Hudson
Investigations Division

/CH