



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License	§	AGREED
Number 680211 and Vocational Nurse License	§	
Number 149551, Issued to	§	
JEREMY DALE ENDSLEY	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JEREMY DALE ENDSLEY, Registered Nurse License Number 680211, and Vocational Nurse License Number 149551, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ANN. 4528c Sec. 10(a)(9), (eff. 09/01/1993), Section 302.402(b)(2)&(10), Texas Occupations Code, (eff. 09/01/1999), and Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 2, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, subject to ratification by the Board.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on 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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the State of Texas, which is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Texarkana Community College, Texarkana, Texas, on August 19, 1994, and an Associate Degree in Nursing from Texarkana Community College, Texarkana, Texas, on May 15, 2001. Respondent was

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licensed to practice vocational nursing in the State of Texas on October 18, 1994, and Respondent was licensed to practice professional nursing in the State of Texas on July 31, 2001.

5. Respondent's nursing employment history is unknown.
6. On or about September 10, 1994, Respondent was arrested by the Nacogdoches Police Department, Nacogdoches, Texas, for CRIMINAL TRESPASS (a Class B misdemeanor offense).

On or about November 7, 1994, Respondent entered a plea of Guilty and was convicted of DISORDERLY CONDUCT, a Class C misdemeanor offense committed on September 10, 1994, reduced from a Class B misdemeanor of CRIMINAL TRESPASS, in the County Court at Law, Nacogdoches County, Texas, under Cause No. 1419-94. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

7. On or about April 9, 2001, Respondent submitted an Application for Initial Licensure by Examination to the Board of Nurse Examiners for the State of Texas in which he attested to the truth of the following:

(1) "have never been convicted of any crime other than a minor traffic violation."

Respondent failed to disclose that on or about November 7, 1994, Respondent entered a plea of Guilty and was convicted of DISORDERLY CONDUCT, a Class C misdemeanor offense committed on September 10, 1994, reduced from a Class B misdemeanor of CRIMINAL TRESPASS, in the County Court at Law, Nacogdoches County, Texas, under Cause No. 1419-94.

8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states that he plead guilty to Disorderly Conduct. He believed that, as it was a Class C misdemeanor it was not reportable.
9. On or about June 5, 2004, Respondent was arrested by the Cass County Sheriff's Office, Cass County, Texas, for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense), and for UNLAWFUL CARRYING WEAPON ON ALCOHOL PREMISES (a Class A misdemeanor offense).

On or about December 19, 2006, Respondent entered a plea of Guilty to RECKLESS DRIVING, a Class B misdemeanor offense committed on June 5, 2004, reduced from DWI, in the County Court at Law, Cass County, Texas, under Cause No. 2004M00144CCL. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of six (6) months. Additionally, Respondent was ordered to pay a fine and court costs.

10. On or about April 12, 2006, Respondent submitted an Online Renewal Document Registered Nurse to the Board of Nurse Examiners for the State of Texas, in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question: "Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's, PI's must be reported and are not considered minor traffic violations."

Respondent failed to disclose that on or about June 5, 2004, Respondent was arrested by the Cass County Sheriff's Office, Cass County, Texas, for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense), and for UNLAWFUL CARRYING WEAPON ON ALCOHOL PREMISES (a Class A misdemeanor offense), and these charges were pending at the time of his renewal.

11. On or about April 3, 2008, Respondent submitted an Online Renewal Document Registered Nurse to the Texas Board of Nursing in which he answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
- A. been convicted of a misdemeanor?
 - B. been convicted of a felony?
 - C. pled nolo contendere, no contest, or guilty?
 - D. received deferred adjudication?
 - E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
 - F. been sentenced to serve jail or prison time? court-ordered confinement?
 - G. been granted pre-trial diversion?
 - H. been arrested or have any pending criminal charges?
 - I. been cited or charged with any violation of the law?
 - J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that on or about December 19, 2006, Respondent entered a plea of Guilty to RECKLESS DRIVING (a Class B misdemeanor offense committed on June 5, 2004, reduced from DWI), in the County Court at Law, Cass County, Texas, under Cause No. 2004M00144CCL.

12. In response to Findings of Fact Numbers Nine (9) through Eleven (11), Respondent states that he was pulled over for speeding and charged with DWI after passing a field sobriety test. He states he also received a charge for unlawful carrying of a weapon on alcohol premises which was unfounded and ultimately dropped, as he was in his vehicle and nowhere near alcohol premises. He received deferred adjudication for reckless driving, completed six

months of probation and the offense was removed from his record. Therefore, he was under the assumption that this was not a reportable offense.

13. On or about May 23, 2009, Respondent was arrested by the Harrison County Sheriff's Office, Harrison County, Texas, for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense).

On or about May 4, 2010, Respondent was convicted by a Jury of DWI, a Class B misdemeanor offense committed on May 23, 2009, in the County Court at Law of Harrison County, Texas, under Cause No. 2009-0574. As a result of the conviction, Respondent was sentenced to confinement in the Harrison County Jail for a period of thirty (30) days, however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months. Additionally, Respondent was ordered to pay court costs.

14. On or about March 14, 2010, Respondent submitted an Online Renewal Document Registered Nurse to the Texas Board of Nursing in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that on or about May 23, 2009, Respondent was arrested by the Harrison County Sheriff's Office, Harrison County, Texas, for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense).

15. In response to Findings of Fact Numbers Thirteen (13) and Fourteen (14), Respondent states that on May 23, 2009, he was arrested for DWI. He was convicted in May 2010 and placed on one year of probation. He did not serve jail time. He renewed his license online on March 10, 2010. He did not report the arrest because he was under the impression that it was not reportable until he was convicted. Once he was convicted he called the Board and was told to report it on his next renewal. He planned on doing that in April 2012. He has not had a drink of alcohol in over a year.

16. On October 18, 2011, Respondent underwent a chemical dependency evaluation with Dr. Emily Fallis, Ph.D., Balance Forensic & General Psychological Services, Inc., Fort Worth, Texas. Dr. Fallis gives Respondent a diagnosis of Alcohol Abuse, but states that Alcohol Dependence cannot be ruled out. Dr. Fallis believes that Respondent should participate in outpatient substance abuse treatment and monitoring through TPAPN. Dr. Fallis states Respondent has a moderate risk of engaging in behaviors which the Board of Nursing has identified as constituting unprofessional conduct. She does not believe that Respondent is likely to abuse substances as part of his duties as nurse. Dr. Fallis believes Respondent is at moderate risk to behave at odds with the requirements of Rules 213.27 to 213.29 at 22 Texas Administrative Code (TAC), and well as the minimum standards set by the Board's Rules 217.11 at 22 TAC and generally accepted nursing standards.
17. 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 TEX. REV. CIV. STAT. ANN. 4528c Sec. 10(a)(9), (eff. 09/01/1993), Section 302.402(a)(2)&(10), Texas Occupations Code, (eff. 09/01/1999), and Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(eff. 09/01/1993), and 22 TEX. ADMIN. CODE §217.12(1)(eff. 11/01/2003), and 22 TEX. ADMIN. CODE §217.12(6)(I)&(13)(eff. after 09/28/2004).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 680211, and Vocational Nurse License Number 149551, heretofore issued to JEREMY DALE ENDSLEY, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act,

Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of one thousand dollars (\$1,000.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the

Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL

BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) While employed with Good Shepherd Medical Center-Emergency Room, Linden, Texas, RESPONDENT SHALL be supervised by the Licensed Physician, or by a Registered Nurse, on duty in the Good Shepherd Medical Center-Emergency Room. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. Multiple employers are prohibited.

(7) If Respondent leaves the employ of Good Shepherd Medical Center-Emergency Room, Linden, Texas, for any reason, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

(9) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing

evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

(10) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the stipulation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary

action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

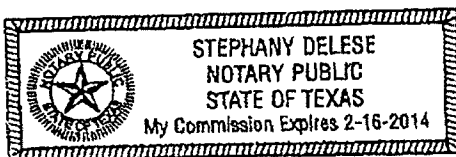
Signed this 2 day of February, 2012.

Jeremy Dale Endsley
JEREMY DALE ENDSLEY, Respondent

Sworn to and subscribed before me this 2 day of February, 2012.

SEAL

Stephany Delese



Notary Public in and for the State of Texas

Approved as to form and substance.

Darrin Dest

Darrin Dest, Attorney for Respondent

Signed this 2 day of February, 2012.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 2nd day of February, 2012, by JEREMY DALE ENDSLEY, Registered Nurse License Number 680211, and Vocational Nurse License Number 149551, and said Order is final.

Effective this 20th day of March, 2012.



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

