



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

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 681395  
ISSUED TO  
LORA JANE KEATING-ROSELL

§  
§  
§  
§  
§

BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE  
TEXAS BOARD OF NURSING

**NUNC PRO TUNC ORDER OF THE BOARD**

TO: Lora Jane Keating-Rosell  
14241 Haymeadow Dr.  
Dallas, TX 75254

On February 14, 2012, during open meeting in Austin, Texas, an Order of the Board was entered for Lora Jane Keating-Rosell. However, the Order contained the incorrect date of the open meeting and the incorrect effective date of the Order. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Texas Board of Nursing, after review and due consideration of the record and the facts therein, invalidates the Order of the Board for Lora Jane Keating-Rosell that is dated February 12, 2012, and submits and enters the corrected Order of the Board, which contains the corrected date of the open meeting and the corrected effective date of the Order. No other changes to the Order have been made. Ms. Keating-Rosell received due process regarding her license; therefore, her rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Order of the Board is hereby approved and entered on the dates set forth below.

Order effective February 14, 2012.

Entered this 1st day of March, 2012.

TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*

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

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 681395	§	COMMITTEE
ISSUED TO	§	OF THE TEXAS
LORA JANE KEATING-ROSELL	§	BOARD OF NURSING

**ORDER OF THE BOARD**

TO: Lora Jane Keating-Rosell  
14241 Haymeadow Dr  
Dallas, Texas 75254

During open meeting held in Austin, Texas, on Tuesday, February 14, 2012, the 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 of the Texas Board of Nursing 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 to practice professional 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 Eligibility and Disciplinary 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 Certificate Number 681395, previously issued to LORA JANE KEATING-ROSELL, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

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



Entered this 14th day of February, 2012.

TEXAS BOARD OF NURSING

BY:

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

Attachment: Formal Charge filed December 6, 2011 and Order of Conditional Eligibility issued on July 18, 2001.

Re: Permanent Certificate Number 681395  
Issued to LORA JANE KEATING-ROSELL  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, 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):

---

Lora Jane Keating-Rosell  
14241 Haymeadow Dr  
Dallas, Texas 75254

BY:



---

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



## Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701  
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov

Katherine A. Thomas, MN, RN  
Executive Director

December 7, 2011

Certified Mail No. 91 7108 2133 3939 1429 5611  
Return Receipt Requested

Lora Jane Keating-Rosell  
14241 Haymeadow Dr  
Dallas, Texas 75254

Dear Ms. Keating-Rosell:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b)(1) of the Nursing Practice Act, Texas Occupations Code. Within three weeks from the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Please send your written answer to the attention of Tamika Rose, Investigator. You may obtain legal counsel at your own expense.


These Charges have been filed because your pending alleged violations of the Nursing Practice Act have not been resolved. **FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.**

Additionally, you may resolve this matter according to the terms of the proposed Agreed Order previously sent to you. If you want to do that, you should sign the Order, have it notarized, and mail it to this office. If you do not have the proposed Agreed Order, you should call and request that a duplicate be sent to you.

If a written answer to the Formal Charges or a signed, notarized Agreed Order is not received within three weeks from the date of this letter, this matter will proceed as a default matter and it will be staff's recommendation that a default order be entered revoking your license or multistate privilege to practice nursing in the State of Texas. The enclosed Formal Charges spell out the matters which will be presented by default.

Should you desire to discuss this matter, you may contact Tamika Rose, Investigator, Enforcement Division, at the above address, or at (512) 305-6819.

Sincerely,

  
Katherine A. Thomas, MN, RN, FAAN  
Executive Director

KAT/TR/

Enclosure: <b>Formal Charges</b>	<b>Members of the Board</b> Kristin Benton, MSN, RN Austin, <i>President</i>				
Deborah Bell, CLU, ChFC Abilene	Patricia Clapp, BA Dallas	Tamara Cowen, MSN, RN Harlingen	Sheri Crosby, JD, SPHR Dallas	Marilyn Davis, BSN, RN, MPA Sugar Land	Richard Gibbs, LVN Mesquite
Kathy Leader-Horn, LVN Granbury	Mary M. LeBeck, MSN, RN Weatherford	Josefina Lujan, PhD, RN El Paso	Beverley Jean Nutall, LVN Bryan	Mary Jane Salgado, MEd San Antonio	Kathleen Shipp, MSN, RN, FNP Lubbock

In the Matter of Permanent License § BEFORE THE TEXAS  
Number 681395, Issued to §  
LORA JANE KEATING-ROSELL, Respondent § BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LORA JANE KEATING-ROSELL, is a Registered Nurse holding license number 681395, 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 May 27, 2008, Respondent pled Guilty and was convicted of DRIVING WHILE INTOXICATED 1st, a Class B misdemeanor offense, in the County Court At Law No. 2, Ellis County, Texas, under Cause No. 0711400CR. As a result of the conviction, Respondent was sentenced to confinement in the Ellis County Jail for a period of twenty-six (26) days, and ordered to pay a fine and court costs.

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(13).

#### CHARGE II.

On or about March 28, 2008, Respondent pled guilty to EVADING ARREST, a State Jail Felony offense committed on December 24, 2007, in the District Court, Sabine County, Texas, under Cause No. SD 6405. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of two (2) years, and ordered to pay a fine and court costs.

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(13).

### CHARGE III.

On or about June 22, 2009, Respondent pled Guilty and was convicted of Count 2-DRIVING UNDER THE INFLUENCE FIRST OFFENSE, a Class W misdemeanor, and Count 6-FAILURE TO APPEAR ON FELONY, a Class IV felony offense committed on November 26, 2007, in the District Court, Seward County, Nebraska, under Case No. CR09-24. As a result of the conviction, Respondent was sentenced to confinement in the Seward County Jail for a period of sixty (60) days for Count 2 and three hundred sixty-five (365) days for Count-6 to run concurrent with the sentence on Count 2, and ordered to pay a fine and court costs.

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(13).

---

### CHARGE IV.

On or about March 5, 2010, Respondent submitted a License Renewal Form (Delinquent over 90 Days) Licensed Vocational Nurse to the Texas Board of Nursing in which she answered "Yes" to the question:

"In the past 5 years, have you been addicted or treated for the use of alcohol or any other drug? (You may answer "no" if you have completed and/or are in compliance with TPAPN)"

Respondent disclosed that, on August 9, 2008, Respondent was voluntarily admitted to The Magdalen House, Dallas, Texas, to participate in their 14-day non-medical detox program, and completed the program on August 23, 2008.

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(5).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license 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.state.tx.us](http://www.bon.state.tx.us).

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.state.tx.us](http://www.bon.state.tx.us).

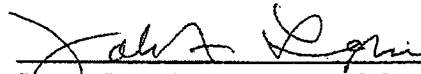
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can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

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

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated July 18, 2001.

Filed this 6th day of December, 2011.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Assistant General Counsel  
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel  
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel  
State Bar No. 24052269

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

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

Attachments: Order of Conditional Eligibility issued to Respondent on July 18, 2001.

D/2010.12.28

---

**CONFIDENTIAL**

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

\*\*\*\*\*

In the Matter of	§	
LORA JANE KEATING-ROSELL	§	ORDER OF
PETITIONER for Eligibility for	§	CONDITIONAL ELIGIBILITY
Licensure	§	

On the date entered below, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the Petition for Declaratory Order and supporting documents filed by LORA JANE KEATING-ROSELL, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and PETITIONER's Certificate contained herein. Information received by the Board produced evidence that PETITIONER may have violated Section 301.452(b)(3)&(9), Texas Occupations Code.

A public meeting was held on May 8, 2001, by the Eligibility and Disciplinary Committee of the Board of Nurse Examiners (Board), at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, in which the petition of LORA JANE KEATING-ROSELL, PETITIONER, was considered.

PETITIONER appeared in person. PETITIONER was notified of her right to be represented by legal counsel and elected to waive representation by counsel.

Board Members in attendance were: Sue McGee, MSN, RN, ADN Programs and Thalia H. Munoz, MS, RN, Nursing Practice. Staff present were: Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, General Counsel; Anthony L. Diggs, Director, Enforcement Division; Sunny McShan, Investigator; and Patricia Vianes-Cabrera, Legal Assistant.

**CONFIDENTIAL**

FINDINGS OF FACT

1. On or about November 15, 2000, Petitioner submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with 301.257 *et seq.*, Texas Occupations Code.
2. Petitioner waived representation, notice, administrative hearing, and judicial review.
3. Petitioner was enrolled in a Nursing Program at El Centro at Brookhaven College, Dallas, Texas, with a graduation date of December 14, 2000.
4. Petitioner disclosed the following criminal history, to wit:
  - On November 2, 1993, Petitioner was convicted of Manufacturing/Delivering /Possession of a controlled substance and sentenced to ten (10) years probation and assessed a fine in the amount of one thousand dollars (\$1,000.00).
5. Petitioner presented evidence of current fitness to practice professional nursing.
6. Petitioner's sobriety date is November 3, 1993.
7. The Board received letters of support/recommendation for Petitioner from the following:
  - A letter of reference dated October 9, 1998, from Joan M. Keenan, R.N, Nursing Instructor, Brookhaven Community College in Dallas, Texas.
  - A letter of reference dated October 12, 1998, from Brenda Routh, RNC, MS, Nursing Instructor, Brookhaven Community College in Dallas, Texas.
  - A letter of reference dated December 10, 1998, from Lisa Acton, RNC, MS, Pediatric Clinical Instructor, Brookhaven Community College in Dallas, Texas.
  - A letter of reference dated December 14, 1998, from Melanie Jutte, RN, MS, AND Clinical Instructor, Brookhaven Community College in Dallas, Texas.
  - A letter evidencing completion of probation dated December 18, 1998, from Larry Pittman, Court Unit Supervisor, Dallas County Community Supervision and Corrections Department, Dallas, Texas.
  - A letter of reference dated March 13, 2000, from Bennett J. Levy, Mesquite, Texas.
  - A letter of reference dated November 13, 2000, from Timothy Shawn Keating, Plano, Texas.

**CONFIDENTIAL**

- A letter of successful aftercare discharge from Dallas Outpatient Center, Jimmy Ochs, LMSW, LCDC, CLA, Dallas, Texas.
- 8. The safety of patients and the public requires that all persons licensed to practice nursing be fit, sober, and able to consistently practice nursing in autonomous roles under demanding and stressful conditions.
- 9. The Board considered evidence of Petitioner's substance abuse and subsequent rehabilitation as provided in §213.29, 22 Texas Administrative Code.
- 10. The Committee's review of the grounds for potential ineligibility has been made on the basis of the information provided by Petitioner.
- 11. Petitioner has sworn that, with the exception of matters disclosed in connection with the Petition for Declaratory Order, past behavior conforms to the Board's professional character requirements. Petitioner presented no evidence of behavior which is inconsistent with the Board's character requirements in 22 Texas Administrative Code §213.27.
- 12. On May 8, 2001, the Eligibility and Disciplinary Committee of the Board considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
- 13. In consideration of Petitioner's past conduct and subsequent evidence of rehabilitation, the Board finds that Petitioner should be declared conditionally eligible to take the National Council Licensure Examination for Registered Nurses.
- 14. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Section 301.453, Texas Occupations Code.
2. Petitioner has submitted a petition in compliance with Section 301.257, Texas Occupations Code.

**CONFIDENTIAL**

3. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452, Texas Occupations Code.
4. The Board of Nurse Examiners may license an individual who has a history of substance abuse, after consideration of the criteria set out in 22 Texas Administrative Code §213.29, the Board determines the Petitioner does not currently pose a direct threat to the health and safety of patients or the public.
5. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

NOW, THEREFORE, IT IS ORDERED that upon meeting the requirements for graduation and payment of any required fees, LORA JANE KEATING-ROSELL, PETITIONER, is **CONDITIONALLY ELIGIBLE** to sit for the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination). PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Nurse in the State of Texas.

IT IS FURTHER ORDERED that PETITIONER SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.*, and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to PETITIONER's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.



**CONFIDENTIAL**

IT IS FURTHER AGREED and ORDERED that while PETITIONER'S is encumbered by this Order the PETITIONER may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where PETITIONER wishes to work.

IT IS FURTHER ORDERED that PETITIONER, upon attaining a passing grade on the NCLEX-RN®, SHALL be issued a license to practice nursing in the State of Texas which SHALL bear the appropriate notation and PETITIONER SHALL be subject to the following stipulations:

(1) PETITIONER SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing ethics to include professional boundaries. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course must be a minimum of six (6) contact hours in length. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify PETITIONER's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

**CONFIDENTIAL**

IT IS FURTHER AGREED, AT THE TIME OF INITIAL LICENSURE, SHOULD PETITIONER CHOOSE TO PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, PETITIONER'S PROFESSIONAL NURSING PRACTICE SHALL BE LIMITED TO A CLINICAL PRACTICE SETTING. DURING THIS STIPULATION PERIOD, PETITIONER SHALL NOT BE SELF-EMPLOYED OR CONTRACT FOR SERVICES.

PETITIONER SHALL NOT BE EMPLOYED BY A NURSE REGISTRY, TEMPORARY NURSE EMPLOYMENT AGENCY, HOME HEALTH AGENCY OR MULTIPLE EMPLOYERS. PETITIONER SHALL PRACTICE UNDER THE FOLLOWING STIPULATIONS UNTIL JANUARY 2004:

(2) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, PETITIONER 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.

(3) PETITIONER SHALL submit to random periodic screens for controlled substances and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the second three (3) 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.

**CONFIDENTIAL**

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene

A Board representative may appear at the PETITIONER's place of employment at any time during the stipulation period and require PETITIONER 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. PETITIONER 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 will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board.

(4) PETITIONER SHALL CAUSE probation officer to submit written reports on forms provided by the Board. The reports shall indicate the PETITIONER's compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until PETITIONER is released from probation.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, PETITIONER SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.



**CONFIDENTIAL**

PETITIONER'S CERTIFICATE

I am the Petitioner in this matter. I have fully and truthfully disclosed all relevant information in conformity with Rule 213.29 at Texas Administrative Code. I certify that my past behavior, except as disclosed in my Petition for Declaratory Order, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my petition, I acknowledge that I have read and I understand Section 301.257, Texas Occupations Code, Section 301.452 (a),(b) and (c), Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and Board Rules 213.27, 213.28, and 213.29 at 22 Texas Administrative Code, which are incorporated by reference as a part of this Order. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Graduate Nurse Permit to practice. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to registering for the NCLEX-RN® Examination or accepting any permit or license from the Board of Nurse Examiners.

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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Board of Nurse Examiners enter this Order.

Signed this 17<sup>th</sup> day of July, 2001.

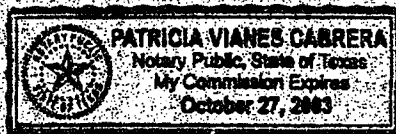
Lora Jane Keating  
LORA JANE KEATING-ROSELL, PETITIONER

Sworn to and subscribed before me this 17<sup>th</sup> day of July, 2001.

SEAL

Patricia Vianes-Cabrera

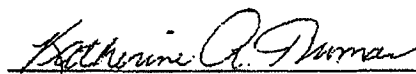
Notary Public in and for the State of TEXAS



**CONFIDENTIAL**

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 17<sup>th</sup> day of July, 2001, by LORA JANE KEATING-ROSELL, PETITIONER, for Petition for Declaratory Order, and said Order is final.

Entered and effective this 18<sup>th</sup> day of July, 2001.

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

Attachments: Section 301.257, Texas Occupations Code  
Section 301.452(a),(b) and (c), Texas Occupations Code  
Section 301.453, Texas Occupations Code  
Rule 213.27, 22 Texas Administrative Code  
Rule 213.28, 22 Texas Administrative Code  
Rule 213.29, 22 Texas Administrative Code  
Chapter 53, Sec. 53.001 *et seq.*, Texas Occupations Code

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 681395	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
LORA JANE KEATING-ROSELL	§	BOARD OF NURSING

**ORDER OF THE BOARD**

TO: Lora Jane Keating-Rosell  
14241 Haymeadow Dr  
Dallas, Texas 75254

During open meeting held in Austin, Texas, on Tuesday, February 12, 2012, the 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 of the Texas Board of Nursing 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 to practice professional 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 Eligibility and Disciplinary 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 Certificate Number 681395, previously issued to LORA JANE KEATING-ROSELL, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 12th day of February, 2012.

TEXAS BOARD OF NURSING



BY:

*Katherine A. Thomas*

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

Attachment: Formal Charge filed December 6, 2011 and Order of Conditional Eligibility issued on July 18, 2001.

Re: Permanent Certificate Number 681395  
Issued to LORA JANE KEATING-ROSELL  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, 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):

Lora Jane Keating-Rosell  
14241 Haymeadow Dr  
Dallas, Texas 75254

BY:



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



## Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701  
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov

Katherine A. Thomas, MN, RN  
Executive Director

December 7, 2011

Certified Mail No. 91 7108 2133 3939 1429 5611

Return Receipt Requested

Lora Jane Keating-Rosell  
14241 Haymeadow Dr  
Dallas, Texas 75254

Dear Ms. Keating-Rosell:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b)() of the Nursing Practice Act, Texas Occupations Code. Within three weeks from the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Please send your written answer to the attention of Tamika Rose, Investigator. You may obtain legal counsel at your own expense.


These Charges have been filed because your pending alleged violations of the Nursing Practice Act have not been resolved. **FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.**

Additionally, you may resolve this matter according to the terms of the proposed Agreed Order previously sent to you. If you want to do that, you should sign the Order, have it notarized, and mail it to this office. If you do not have the proposed Agreed Order, you should call and request that a duplicate be sent to you.

If a written answer to the Formal Charges or a signed, notarized Agreed Order is not received within three weeks from the date of this letter, this matter will proceed as a default matter and it will be staff's recommendation that a default order be entered revoking your license or multistate privilege to practice nursing in the State of Texas. The enclosed Formal Charges spell out the matters which will be presented by default.

Should you desire to discuss this matter, you may contact Tamika Rose, Investigator, Enforcement Division, at the above address, or at (512) 305-6819.

Sincerely,

  
Katherine A. Thomas, MN, RN, FAAN  
Executive Director

KAT/TR/

Enclosure: Formal Charges

### Members of the Board

Kristin Bentea, MSN, RN  
Austin, President

Deborah Bell, CLU, ChFC Arlene	Patricia Clapp, BA Dallas	Tamara Cowen, MSN, RN Harrington	Sheri Crosby, JD, SPHR Dallas	Marilyn Davis, BSN, RN, MPA Sugar Land	Richard Gibbs, LVN Mesquite
Kathy Leader-Horn, LVN Graubury	Mary M. LeBeck, MSN, RN Weatherford	Josefina Lujan, PhD, RN El Paso	Beverly Jean Nutall, LVN Bryan	Mary Jane Saigado, MEd San Antonio	Kathleen Shipp, MSN, RN, FNP Lubbock

In the Matter of Permanent License § BEFORE THE TEXAS  
Number 681395, Issued to §  
LORA JANE KEATING-ROSELL, Respondent § BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LORA JANE KEATING-ROSELL, is a Registered Nurse holding license number 681395, 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 May 27, 2008, Respondent pled Guilty and was convicted of DRIVING WHILE INTOXICATED 1st, a Class B misdemeanor offense, in the County Court At Law No. 2, Ellis County, Texas, under Cause No. 0711400CR. As a result of the conviction, Respondent was sentenced to confinement in the Ellis County Jail for a period of twenty-six (26) days, and ordered to pay a fine and court costs.

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(13).

#### CHARGE II.

On or about March 28, 2008, Respondent pled guilty to EVADING ARREST, a State Jail Felony offense committed on December 24, 2007, in the District Court, Sabine County, Texas, under Cause No. SD 6405. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of two (2) years, and ordered to pay a fine and court costs.

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(13).

### CHARGE III.

On or about June 22, 2009, Respondent pled Guilty and was convicted of Count 2-DRIVING UNDER THE INFLUENCE FIRST OFFENSE, a Class W misdemeanor, and Count 6-FAILURE TO APPEAR ON FELONY, a Class IV felony offense committed on November 26, 2007, in the District Court, Seward County, Nebraska, under Case No. CR09-24. As a result of the conviction, Respondent was sentenced to confinement in the Seward County Jail for a period of sixty (60) days for Count 2 and three hundred sixty-five (365) days for Count-6 to run concurrent with the sentence on Count 2, and ordered to pay a fine and court costs.

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(13).

### CHARGE IV.

On or about March 5, 2010, Respondent submitted a License Renewal Form (Delinquent over 90 Days) Licensed Vocational Nurse to the Texas Board of Nursing in which she answered "Yes" to the question:

"In the past 5 years, have you been addicted or treated for the use of alcohol or any other drug? (You may answer "no" if you have completed and/or are in compliance with TPAPN)"

Respondent disclosed that, on August 9, 2008, Respondent was voluntarily admitted to The Magdalen House, Dallas, Texas, to participate in their 14-day non-medical detox program, and completed the program on August 23, 2008.

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(5).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license 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.state.tx.us](http://www.bon.state.tx.us).



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.state.tx.us](http://www.bon.state.tx.us).

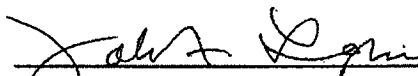
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can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

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

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated July 18, 2001.

Filed this 6th day of December, 2011.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Assistant General Counsel  
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel  
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel  
State Bar No. 24052269

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

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

Attachments: Order of Conditional Eligibility issued to Respondent on July 18, 2001.

D/2010.12.28

**CONFIDENTIAL**

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

\*\*\*\*\*

In the Matter of  
LORA JANE KEATING-ROSELL  
PETITIONER for Eligibility for  
Licensure

§  
§  
§  
§

ORDER OF  
CONDITIONAL ELIGIBILITY

On the date entered below, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the Petition for Declaratory Order and supporting documents filed by LORA JANE KEATING-ROSELL, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and PETITIONER's Certificate contained herein. Information received by the Board produced evidence that PETITIONER may have violated Section 301.452(b)(3)&(9), Texas Occupations Code.

A public meeting was held on May 8, 2001, by the Eligibility and Disciplinary Committee of the Board of Nurse Examiners (Board), at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, in which the petition of LORA JANE KEATING-ROSELL, PETITIONER, was considered.

PETITIONER appeared in person. PETITIONER was notified of her right to be represented by legal counsel and elected to waive representation by counsel.

Board Members in attendance were: Sue McGee, MSN, RN, ADN Programs and Thalia H. Munoz, MS, RN, Nursing Practice. Staff present were: Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, General Counsel; Anthony L. Diggs, Director, Enforcement Division; Sunny McShan, Investigator; and Patricia Vianes-Cabrera, Legal Assistant.

**CONFIDENTIAL**

FINDINGS OF FACT

1. On or about November 15, 2000, Petitioner submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with 301.257 *et seq.*, Texas Occupations Code.
2. Petitioner waived representation, notice, administrative hearing, and judicial review.
3. Petitioner was enrolled in a Nursing Program at El Centro at Brookhaven College, Dallas, Texas, with a graduation date of December 14, 2000.
4. Petitioner disclosed the following criminal history, to wit:
  - On November 2, 1993, Petitioner was convicted of Manufacturing/Delivering /Possession of a controlled substance and sentenced to ten (10) years probation and assessed a fine in the amount of one thousand dollars (\$1,000.00).
5. Petitioner presented evidence of current fitness to practice professional nursing.
6. Petitioner's sobriety date is November 3, 1993.
7. The Board received letters of support/recommendation for Petitioner from the following:
  - A letter of reference dated October 9, 1998, from Joan M. Keenan, RN, Nursing Instructor, Brookhaven Community College in Dallas, Texas.
  - A letter of reference dated October 12, 1998, from Brenda Routh, RNC, MS, Nursing Instructor, Brookhaven Community College in Dallas, Texas.
  - A letter of reference dated December 10, 1998, from Lisa Acton, RNC, MS, Pediatric Clinical Instructor, Brookhaven Community College in Dallas, Texas.
  - A letter of reference dated December 14, 1998, from Melanie Jutte, RN, MS, AND Clinical Instructor, Brookhaven Community College in Dallas, Texas.
  - A letter evidencing completion of probation dated December 18, 1998, from Larry Pittman, Court Unit Supervisor, Dallas County Community Supervision and Corrections Department, Dallas, Texas.
  - A letter of reference dated March 13, 2000, from Bennett J. Levy, Mesquite, Texas.
  - A letter of reference dated November 13, 2000, from Timothy Shawn Keating, Plano, Texas.

**CONFIDENTIAL**

- A letter of successful aftercare discharge from Dallas Outpatient Center, Jimmy Ochs, LMSW, LCDC, CLA, Dallas, Texas.
- 8. The safety of patients and the public requires that all persons licensed to practice nursing be fit, sober, and able to consistently practice nursing in autonomous roles under demanding and stressful conditions.
- 9. The Board considered evidence of Petitioner's substance abuse and subsequent rehabilitation as provided in §213.29, 22 Texas Administrative Code.
- 10. The Committee's review of the grounds for potential ineligibility has been made on the basis of the information provided by Petitioner.
- 11. Petitioner has sworn that, with the exception of matters disclosed in connection with the Petition for Declaratory Order, past behavior conforms to the Board's professional character requirements. Petitioner presented no evidence of behavior which is inconsistent with the Board's character requirements in 22 Texas Administrative Code §213.27.
- 12. On May 8, 2001, the Eligibility and Disciplinary Committee of the Board considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
- 13. In consideration of Petitioner's past conduct and subsequent evidence of rehabilitation, the Board finds that Petitioner should be declared conditionally eligible to take the National Council Licensure Examination for Registered Nurses.
- 14. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

#### CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Section 301.453, Texas Occupations Code.
2. Petitioner has submitted a petition in compliance with Section 301.257, Texas Occupations Code.

**CONFIDENTIAL**

3. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452, Texas Occupations Code.
4. The Board of Nurse Examiners may license an individual who has a history of substance abuse, after consideration of the criteria set out in 22 Texas Administrative Code §213.29, the Board determines the Petitioner does not currently pose a direct threat to the health and safety of patients or the public.
5. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

NOW, THEREFORE, IT IS ORDERED that upon meeting the requirements for graduation and payment of any required fees, LORA JANE KEATING-ROSELL, PETITIONER, is **CONDITIONALLY ELIGIBLE** to sit for the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination). PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Nurse in the State of Texas.

IT IS FURTHER ORDERED that PETITIONER SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.*, and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to PETITIONER's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.



**CONFIDENTIAL**

IT IS FURTHER AGREED and ORDERED that while PETITIONER'S is encumbered by this Order the PETITIONER may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where PETITIONER wishes to work.

IT IS FURTHER ORDERED that PETITIONER, upon attaining a passing grade on the NCLEX-RN®, SHALL be issued a license to practice nursing in the State of Texas which SHALL bear the appropriate notation and PETITIONER SHALL be subject to the following stipulations.

(1) PETITIONER SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing ethics to include professional boundaries. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course must be a minimum of six (6) contact hours in length. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify PETITIONER's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

**CONFIDENTIAL**

IT IS FURTHER AGREED, AT THE TIME OF INITIAL LICENSURE, SHOULD PETITIONER CHOOSE TO PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, PETITIONER'S PROFESSIONAL NURSING PRACTICE SHALL BE LIMITED TO A CLINICAL PRACTICE SETTING. DURING THIS STIPULATION PERIOD, PETITIONER SHALL NOT BE SELF-EMPLOYED OR CONTRACT FOR SERVICES. PETITIONER SHALL NOT BE EMPLOYED BY A NURSE REGISTRY, TEMPORARY NURSE EMPLOYMENT AGENCY, HOME HEALTH AGENCY OR MULTIPLE EMPLOYERS. PETITIONER SHALL PRACTICE UNDER THE FOLLOWING STIPULATIONS UNTIL JANUARY 2004:

(2) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, PETITIONER 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.

(3) PETITIONER SHALL submit to random periodic screens for controlled substances and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the second three (3) 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.



**CONFIDENTIAL**

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene

A Board representative may appear at the PETITIONER's place of employment at any time during the stipulation period and require PETITIONER 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. PETITIONER 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 will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board.

(4) PETITIONER SHALL CAUSE probation officer to submit written reports on forms provided by the Board. The reports shall indicate the PETITIONER's compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until PETITIONER is released from probation.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, PETITIONER SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

**CONFIDENTIAL**

PETITIONER'S CERTIFICATE

I am the Petitioner in this matter. I have fully and truthfully disclosed all relevant information in conformity with Rule 213.29 at Texas Administrative Code. I certify that my past behavior, except as disclosed in my Petition for Declaratory Order, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my petition, I acknowledge that I have read and I understand Section 301.257, Texas Occupations Code, Section 301.452 (a),(b) and (c), Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and Board Rules 213.27, 213.28, and 213.29 at 22 Texas Administrative Code, which are incorporated by reference as a part of this Order. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Graduate Nurse Permit to practice. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to registering for the NCLEX-RN® Examination or accepting any permit or license from the Board of Nurse Examiners.

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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Board of Nurse Examiners enter this Order.

Signed this 17<sup>th</sup> day of July, 2001.

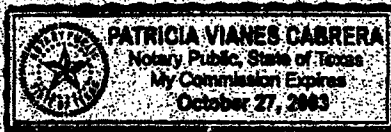
Lora Jane Keating  
LORA JANE KEATING-ROSELL, PETITIONER

Sworn to and subscribed before me this 17<sup>th</sup> day of July, 2001

SEAL

Patricia Vianes-Cabrera


Notary Public in and for the State of TEXAS



**CONFIDENTIAL**

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 17<sup>th</sup> day of July, 2001, by LORA JANE KEATING-ROSELL, PETITIONER, for Petition for Declaratory Order, and said Order is final.

Entered and effective this 18<sup>th</sup> day of July, 2001.

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

Attachments: Section 301.257, Texas Occupations Code  
Section 301.452(a),(b) and (c), Texas Occupations Code  
Section 301.453, Texas Occupations Code  
Rule 213.27, 22 Texas Administrative Code  
Rule 213.28, 22 Texas Administrative Code  
Rule 213.29, 22 Texas Administrative Code  
Chapter 53, Sec. 53.001 *et seq.*, Texas Occupations Code