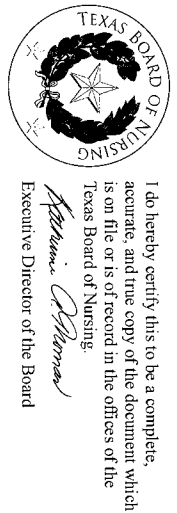


IN THE MATTER OF VOCATIONAL §
NURSE LICENSE NUMBER 142075 §
AND REGISTERED NURSE LICENSE §
NUMBER 616817 ISSUED TO §
JENNIFER LYNN CARPER (GREGORY) §

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



ORDER OF THE BOARD

TO: Jennifer Lynn Carper
8132 Bridge Street
North Richland Hills, Texas 76180

During open meeting held in Austin, Texas, on Tuesday, November 8, 2011, 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 and vocational 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.

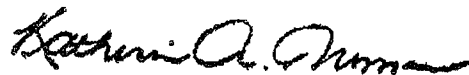
NOW, THEREFORE, IT IS ORDERED that Vocational Nurse License Number 142075 and Registered Nurse License Number 616817, previously issued to Jennifer Lynn Carper (Gregory), to practice professional and vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 8th day of November, 2011.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed August 22, 2011.

Re: Vocational nurse License Number 142075
and Registered Nurse License Number 616817
Issued to Jennifer Lynn Carper (Gregory)
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of November, 2011, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Jennifer Lynn Carper
8132 Bridge Street
North Richland Hills, Texas 76180

BY: Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Vocational Nurse License	§	BEFORE THE TEXAS
Number 142075 and Registered Nurse License	§	
Number 616817, Issued to JENNIFER LYNN	§	
CARPER, RESPONDENT	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JENNIFER LYNN CARPER, is a Vocational Nurse holding license number 142075, which is in delinquent status, and Registered Nurse holding license number 616817, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about February 1, 2008, Respondent failed to comply with the Reinstatement Agreed Order issued to her by the Board of Nurse Examiners for the State of Texas, on February 13, 2007. Respondent's non-compliance was her failure to comply with Stipulation Number Five (5) of the Order which reads:

- (5) PETITIONER SHALL comply with all requirements of the TPAPN contract during its term.

Specifically, on or about June 6, 2007, September 14, 2007, October 1, 2007, October 4, 2007, and October 22, 2007, Respondent submitted specimens for drug screens that were diluted. Additionally, after Respondent's case was extended by TPAPN, she again produced diluted specimens on January 15, 2008, January 21, 2008 and January 24, 2008. A copy of the February 13, 2007 Reinstatement Agreed Order, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

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.

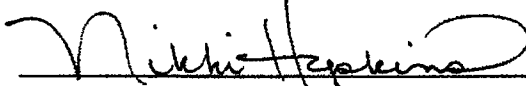
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.state.tx.us.

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.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Orders which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated March 24, 2003, Order of the Board dated August 19, 2003, Order of the Board dated March 10, 2005, and Reinstatement Agreed Order dated February 13, 2007.

Filed this 22nd day of August, 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: Orders of the Board dated March 24, 2003, August 19, 2003, March 10, 2005, and February 13, 2007.

D/2010.12.28

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 616817
issued to JENNIFER L. CARPER

§ AGREED
§ ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred
to as the Board, considered the matter of JENNIFER L. CARPER, License Number 616817,
hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have
violated Section 301.452(b)(9)&(10), Texas Occupations Code. Respondent waived representation
by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on
September 25, 2002, by Katherine A. Thomas, MN, RN, Executive Director.

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.
2. Respondent waived representation by counsel, informal conference, 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.
4. Respondent received an Associate Degree in Nursing from Vernon Regional Junior College, Vernon, Texas, on May 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas in June 1995.

5. Respondent's professional employment history includes:

6/95 to 3/01

Unknown

4/01 to Unknown

Agency Nurse

Timely Nursing Agency
Grand Prairie, Texas

Unknown-Present

Staff Nurse

BestCare Home Health, Inc.
Arlington, Texas

6. On or about June 18, 2001, Respondent pled guilty to the offense of Possession of a Controlled Substance, PG 1<1g, a Class A Misdemeanor, in the 371st District Court, Tarrant County, Texas, case number 0791479D. Respondent's sentence was deferred and she was issued two (2) years Community Supervision.
7. On or about April 27, 2001, while employed with Timely Nursing Agency, Grand Prairie, Texas, and on assignment at Baylor Medical Center, Dallas, Texas, Respondent lacked fitness to practice professional nursing as evidenced by Respondent exhibiting lethargic behavior while on duty. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in the patient's condition, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments and decisions regarding patient care, thereby placing the patient in potential danger.
8. On or about April 27, 2001, while employed with Timely Nursing Agency, Grand Prairie, Texas, and on assignment at Baylor Medical Center, Dallas, Texas, Respondent engaged in the intemperate use of Benzodiazepines as evidenced by a positive drug screen. Possession of Benzodiazepines is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Benzodiazepines by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgements and decisions regarding patient care, thereby placing the patient in potential danger.
9. On or about April 27, 2001, while employed with Timely Nursing Agency, Grand Prairie, Texas, and on assignment at Baylor Medical Center, Dallas, Texas, Respondent misappropriated Demerol from the facility and patients thereof. Respondent's conduct was likely to defraud the facility and the patients of the cost of the medication.

10. On or about April 27, 2001, while employed with Timely Nursing Agency, Grand Prairie, Texas, and on assignment at Baylor Medical Center, Dallas, Texas, Respondent withdrew Demerol 25mg and Phenergan 25mg from the pyxis for patient Medical Record Number 2463250, but failed to document the administration of Demerol and Phenergan on the patient's Medication Administration Record (MAR) and Nurses Notes, as follows:

DATE/TIME	PATIENT	PYXIS RECORD	PHYSICIAN'S ORDER	MAR	NURSES NOTES	WASTAGE
4/27/01@0802	2463250	DEMEROL 25MG	DEMEROL 25MG Q 8HRS PRN	NO	NO	NO
4/27/01@0848	2463250	PHENERGAN 25MG	PHENERGAN 25MG INJ Q 8HRS PRN	NO	NO	NO
4/27/01@0849	2463250	DEMEROL 25MG	DEMEROL 25MG Q 8HRS PRN	NO	NO	NO
4/27/01@1052	2463250	DEMEROL 25MG	DEMEROL 25MG Q 8HRS PRN	NO	NO	NO

Respondent's conduct above was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in overdose.

11. 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.
12. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1),(4),(12),(19)&(20).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 616817, heretofore issued to JENNIFER L. CARPER, including revocation of Respondent's professional license to practice nursing in the State of Texas.

5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§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 Respondent's multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent 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 Respondent wishes to work.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Board of Nurse Examiners, 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

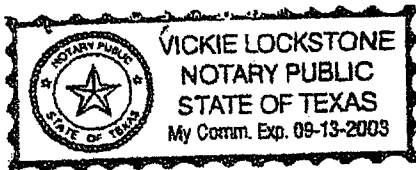
Signed this 24 day of March, 2003.

Jennifer Carper
JENNIFER L. CARPER, Respondent

Sworn to and subscribed before me this 24 day of March, 2003.

SEAL

Vickie Lockstone
Notary Public in and for the State of Texas



WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the

Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that

was signed on the 24th day of March, 2003, by JENNIFER L. CARPER,

License Number 616817, and said Order is final.

Entered and effective this 27th day of March, 2003.



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

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 142075
ISSUED TO
JENNIFER LYNN GREGORY

§
§
§
§
§
§
§
§

BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE OF THE BOARD
OF NURSE EXAMINERS OF THE
STATE OF TEXAS

ORDER OF THE BOARD

TO: JENNIFER LYNN GREGORY
6 MARCH DRIVE
WICHITA FALLS, TEXAS 76306

During open meeting held in Austin, Texas, on May 10, 2005, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE § 213.16.

The Committee of the Board of Nurse Examiners 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 vocational 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 of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE § 213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056 and 22 TEX. ADMIN. CODE § 213.16.

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 to set aside the default order (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 142075, previously issued to JENNIFER LYNN GREGORY, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.


IT IS FURTHER ORDERED that Permanent Certificate Number 142075, previously issued to JENNIFER LYNN GREGORY, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 10th day of May, 2005.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY:


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

In the Matter of Permanent License
Number 142075, Issued to
JENNIFER LYNN GREGORY, Respondent

§
§
§

BEFORE THE BOARD
OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452 (b), Texas Occupations Code. Respondent, JENNIFER LYNN GREGORY, is a Vocational Nurse holding license number 142075, which is in current status at the time of this pleading. Respondent held Professional Nursing License number 616817 which was revoked on November 10, 2003.

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 November 10, 2003, your license to practice Professional Nursing in the State of Texas was Revoked by the Board of Nurse Examiners, Austin, Texas. A copy of the Texas Order of the Board dated November 10, 2003, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes a violation of Section 302.402 (a) (8), Texas Occupations Code.

NOTICE IS GIVEN that Respondent's past disciplinary history as 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 November 10, 2003.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice vocational nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33 and 239.18. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to §301.461. TEX. OCC. CODE ANN. 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).

FORMAL CHARGES

RE: JENNIFER LYNN GREGORY, LVN #142075


Page 2

NOTICE IS ALSO 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.bne.state.tx.us.

Filed this 10th day of March, 2005.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
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FOR THE STATE OF TEXAS
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Elizabeth L. Higginbotham, RN, JD
Assistant General Counsel
State Bar No. 00787694

E. Joy Sparks
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State Bar No. 18874600
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Attachments: Order of the Board dated November 10, 2004.

0999/D

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 616817
ISSUED TO
JENNIFER L. CARPER

§
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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE OF THE BOARD
OF NURSE EXAMINERS OF THE
STATE OF TEXAS

ORDER OF THE BOARD

TO: JENNIFER L. CARPER
2507 McNeil Ave.
Wichita Falls, Texas 76309

During open meeting held in Austin, Texas, on November 10, 2003, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE, §213.16.

The Committee of the Board of Nurse Examiners 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 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 of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE, §213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code, §2001.056 and 22 Texas Administrative Code, §213.16.

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 to set aside the default order (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 616817, previously issued to JENNIFER L. CARPER, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.


IT IS FURTHER ORDERED that Permanent Certificate Number 616817, previously issued to JENNIFER L. CARPER, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 10th day of November, 2003.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY:


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

In the Matter of Permanent License	§	BEFORE THE BOARD
Number 616817, Issued to	§	OF NURSE EXAMINERS
JENNIFER L. CARPER, Respondent	§	FOR THE STATE OF TEXAS

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JENNIFER L. CARPER, is a Registered Nurse holding license number 616817, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about May 8, 2003, Respondent became non-compliant with the Agreed Order issued by the Board of Nurse Examiners for the State of Texas on March 27, 2003. Non-compliance is the result of Respondent's failure to apply to and be accepted into the Texas Peer Assistance Program for Nurses (TPAPN). Stipulation number one (1) of the Agreed Order dated March 27, 2003, states:

"RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN."

The above action constitutes a violation of Section 301.452(b)(1), Texas Occupations Code.

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NOTICE IS GIVEN that staff will present evidence in support of any recommended disposition of this matter pursuant to the factors stated in the Board's rule regarding penalty/sanction factors, 22 TEX. ADMIN. CODE, Section 213.33.

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.bne.state.tx.us.

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 March 27, 2003.

Filed this 19th day of August, 2003.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

James W. Johnston, General Counsel

Board Certified - Administrative Law
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Attachments: Order of the Board dated March 27, 2003

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Vocational Nurse	§	
License Number 142075 and	§	REINSTATEMENT
Registered Nurse License Number 616817	§	AGREED ORDER
issued to JENNIFER L. CARPER (GREGORY)	§	

On this day came to be considered by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the Petition for Reinstatement of Vocational Nurse License Number 142075 and Registered Nurse License Number 616817, held by JENNIFER L. CARPER (GREGORY), hereinafter referred to as Petitioner.

An informal conference was held on December 7, 2006, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, Texas Occupations Code. Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Mary Beth Thomas, MSN, RN, Director of Nursing, Executive Director's Designee; Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Marsha Wilson, RN, Investigator; Laura Ferrell, RN, Investigator; Elise Dunham, Investigator; Noemi Reyes, Investigator; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.

3. Petitioner received a Certificate in Nursing from Vernon Regional Junior College, Wichita Falls, Texas, on January 13, 1993. Petitioner was originally licensed to practice vocational nursing in the State of Texas on May 25, 1993. Petitioner received an Associate Degree in Nursing from Vernon Regional Junior College, Wichita Falls, Texas, on May 1, 1995. Petitioner was originally licensed to practice professional nursing in the State of Texas on June 13, 1995.

4. Petitioner's vocational and professional nursing employment history includes:

1993 - 1996	LVN/RN	Wichita General Hospital Wichita Falls, Texas
1995 - 1997	Director of Patient Care/ Assistant Director of Nursing	HomeCare Home Health Wichita Falls, Texas
1997 - 1998	Director of Nursing/Branch Manager	Interim Health Wichita Falls, Texas
1998 - 2000	Director of Clinical Operations/ JCAHO Coordinator	Rhema Medical Irving, Texas
2000 - 2001	Director of Quality Management	Vencor Hospital Fort Worth, Texas
2001 - 2003	Director of Community Relations	BestCare Health Wichita Falls, Texas
11/2003 - present	Not employed in nursing	

5. On March 27, 2003, Petitioner was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas requiring her to participate in the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the March 27, 2003, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

6. On November 10, 2003, Petitioner's license to practice professional nursing in the State of Texas was revoked by the Board of Nurse Examiners for the State of Texas. A copy of the November 10, 2003, Order of the Board and Formal Charges, is attached and incorporated, by reference, as a part of this Order.

7. On May 10, 2005, Petitioner's license to practice vocational nursing in the State of Texas was revoked by the Board of Nurse Examiners for the State of Texas. A copy of the May 10, 2005, Order of the Board and Formal Charges is attached and incorporated, by reference, as part of this Order.

8. On or about September 12, 2006, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
9. Petitioner presented the following in support of her petition:
 - 9.1. Deferred Adjudication Order issued on June 18, 2001, in the County Criminal Court Number Eight, Tarrant County, Texas, for the offense of "Theft," a class B Misdemeanor. Petitioner's deferred adjudication was dismissed on July 21, 2003.
 - 9.2. Unadjudicated Judgment issued on June 18, 2001, in the 371st District Court of Tarrant County, Texas, for "Attempted Possession of a Controlled Substance of less than 1 gram, namely: Hydrocodone," a Class A Misdemeanor. Petitioner was released from community supervision on June 18, 2003.
 - 9.3. Letter, dated June 15, 2006, from Dana Turnbull, PhD, HEB Behavioral Medicine, Bedford, Texas, states Petitioner presented to her office for initial evaluation on June 15, 2006. She has initiated outpatient treatment plan of care and has scheduled two (2) follow-up appointments. Petitioner reported her license is currently in revoked status, and is seeking reinstatement. She reported intent to diligently participate in the psychotherapy process to not only gain reinstatement, but to thoroughly address the issues that lead to her license revocation to prevent such problems from ever recurring.
 - 9.4. Letter of participation indicating Petitioner participated in Pine Street Intensive Residential Treatment from August 31, 2005, through September 26, 2005.
 - 9.5. Letter of support, dated August 25, 2006, from William E. Boatman, III, and Simmi Boatman, states that Mr. Boatman is Petitioner's brother and is a licensed vocational nurse in the State of Texas. Mr. Boatman's wife is also a licensed vocational nurse in the State of Texas. They are aware that Petitioner is applying for reinstatement of her nursing license and would like to support such reinstatement. Petitioner was a skillful nurse with compassion for patients. Petitioner has proven the desire and willingness to do what it takes to lead a healthy life. Over the past thirteen (13) months, she has successfully completed a substance abuse rehabilitation program, continued with daily NA meetings and participates in ongoing counseling. An imaging company has employed Petitioner for the past eight (8) months. Mr. and Mrs. Boatman believe that Petitioner desires the reinstatement of her license more than anything. As practicing nurses, they feel safe and assured in supporting the reinstatement of her license.

- 9.6. Letter of support, dated August 26, 2006, from William E. Boatman, Jr., and Carolyn Boatman, states Petitioner is their daughter and came to reside with them in September 2005, after completing a substance abuse rehabilitation program. She immediately gained employment at a restaurant until she found a more stable employer, One Source Diagnostic Company. Petitioner has been employed with One Source for the past eight (8) months. She now resides independently and is doing very well. Mr. and Mrs. Boatman are in support of Petitioner's application for reinstatement and completely support her decision. She has worked hard to regain the respect and support of her family and has restored the relationship with her children. Petitioner is willing to continue her efforts to improve daily and restore her life. She is acutely aware of what it takes to stay healthy and shows them these actions every day. Petitioner attends NA meetings and seeks guidance from a counselor. She stays involved with her family and surrounds herself with positive influence.
- 9.7. Documentation of support group attendance dating from September 27, 2005, through August 2, 2006.
- 9.8. Documentation of twenty-two (22) Type I Continuing Education contact hours.
10. Petitioner gives July 23, 2005, as her date of sobriety.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. 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.
3. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that the petition of JENNIFER L. CARPER, Vocational Nurse License Number 142075, and Registered Nurse License Number 616817, to practice vocational and professional nursing in the state of Texas, be and the same is hereby GRANTED SUBJECT TO THE FOLLOWING CONDITIONS SO LONG AS THE PETITIONER complies 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 §211.01 *et seq.* and the stipulations contained in this Order:

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's licenses are encumbered by this Order, 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.

(1) PETITIONER SHALL initiate contact with the Texas Guaranteed Student Loan Corporation and make arrangements to repay the student loan before making application for relicensure. Upon approval of a repayment contract with the Texas Guaranteed Student Loan Corporation, PETITIONER SHALL provide the office of the Board with verification of repayment of the defaulted loan.

(2) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has paid all re-registration fees and is issued a license to practice vocational or professional nursing in the State of Texas, which shall bear the appropriate notation. Said licenses issued to JENNIFER L. CARPER (GREGORY), shall be subject to the following agreed post-licensure stipulations:

(3) PETITIONER SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

(4) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(5) PETITIONER SHALL comply with all requirements of the TPAPN contract during its term.

(6) PETITIONER SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED, SHOULD PETITIONER fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of PETITIONER's licenses and multistate licensure privileges, if any, to practice vocational and professional nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

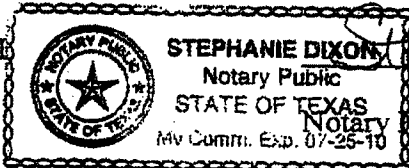
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. 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 convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my licenses to practice vocational and professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my licenses to practice vocational and professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 5 day of January, 20 07.

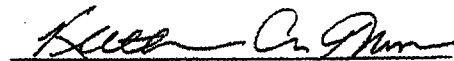
Jennifer L. Carper (Gregory)
JENNIFER L. CARPER (GREGORY), Petitioner

Sworn to and subscribed before me this 5th day of January, 20 07.

SEAL  Stephanie Dixon
STEPHANIE DIXON
Notary Public
STATE OF TEXAS
My Comm. Exp. 07-25-10
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 5th day of January, 20 07, by JENNIFER L. CARPER (GREGORY), Vocational Nurse License Number 142075, and Registered Nurse License Number 616817, and said Order is final.

Effective this 13th day of February, 20 07.



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