



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 590272 § REINSTATEMENT
issued to WENDY LYN WOODRUFF § AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinaft referred to as the Board, the Petition for Reinstatement of Registered Nurse License Num 590272, held by WENDY LYN WOODRUFF, hereinafter referred to as Petitioner.

An informal conference was held on December 2, 2008, at the office of the Texas Board of Nursing, 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, PhD, RN, Director of Nursing, Executive Director's Designee; James W. Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Erin Menefee, Investigator; Christen Werley, 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 Baccalaureate Degree in Nursing from Texas Woman's University, Denton, Texas, on December 18, 1992. Petitioner was originally licensed to practice professional nursing in the State of Texas on March 23, 1993.

4. Petitioner's professional nursing employment history includes:

1993 - 1994	Staff Nurse	Methodist Hospital Houston, Texas
1994 - 1996	Staff Nurse	Texas Orthopedic Hospital Houston, Texas
1996 - present	Not employed in nursing	

5. On October 29, 1996, the Board of Nurse Examiners for the State of Texas accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and Order of the Board dated October 29, 1996, is attached and incorporated, by reference, as part of this Order.
6. On or about September 4, 2008, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
7. Petitioner presented the following in support of her petition:
- 7.1. Letter, dated May 8, 2008, from Brannon Baxley, Unit Supervisor, 24th Judicial District, Community Supervision and Corrections Department, Edna, Texas, states on October 19, 2005, Petitioner received a two (2) year probation for the misdemeanor offense of Driving While Intoxicated. On October 17, 2007, her supervision was successfully terminated.
- 7.2. Certificate of completion from All About Recovery, Inc., reflecting Petitioner's completion of intensive outpatient treatment on October 19, 2006.
- 7.3. Letter, dated August 1, 2008, from Norman Spells, LCDC, Charlie's Place, Corpus Christi, Texas, states he was one of Petitioner's counselors during her outpatient treatment at Charlie's Place from December 7, 2004, through March 19, 2005. During this time, she demonstrated honesty, willingness, and integrity. She was always on time, never missed a session, and participated in group activities and discussions. Petitioner completed her program successfully and has remained sober now for almost three (3) years. Mr. Spells found Petitioner to be a competent, capable, and dependable person. Her good judgment and leadership qualities make her an excellent candidate for reinstatement of her nursing license.
- 7.4. Letter, dated August 4, 2008, from James Waters, Pasadena, Texas, states he was Petitioner's counselor during her outpatient treatment at All About Recovery from September 9, 2006, through October 19, 2006. During this time, she demonstrated a sincere desire to stay sober. Petitioner was punctual, never missed a session, and

participated in group activities and discussions. Mr. Waters is pleased to say that Petitioner has been sober now for almost three (3) years. Her sobriety date is October 3, 2005. Mr. Waters feels Petitioner is a competent, capable, and dependable person. Her good judgment and leadership qualities make her an excellent candidate for reinstatement.

- 7.5. Letter of support, dated May 21, 2008, from Dena Schneider, Houston, Texas, states she has been Petitioner's friend since 1993. Petitioner had just started out in the nursing field when they met and Ms. Schneider knows Petitioner loved it and was very good at it. Petitioner is great with people, very organized, and a truly caring person. Ms. Schneider is so proud of Petitioner's accomplishments in the past three (3) years. She has come along way and has made significant changes in herself and in her life. Ms. Schneider would highly recommend for Petitioner to get back in the nursing field knowing how much she has changed, and how much she cares.
- 7.6. Letter of support, dated May 21, 2008, from Sheila Pensotti, Coppell, Texas, states she has known Petitioner for twenty-nine (29) years and has been witness to many of her successes in life. Ms. Pensotti admires Petitioner for her drive and determination in achieving her goals, one of which was to complete nursing school and begin her career as a nurse. Ms. Pensotti truly believes that Petitioner found a profession that best fits her personality. She finds the medical field intriguing and flourishes when surrounded by those in need of care. Ms. Pensotti has also seen Petitioner through the hard times. Ms. Pensotti is proud of Petitioner for her hard work in achieving and maintaining her sobriety for three (3) years. Her struggles have brought her wisdom, strengthened her drive and determination, and reinforced her desire to pursue her nursing career.
- 7.7. Letter of support, dated May 2, 2008, from William E. Vauter, Houston, Texas, states he has known Petitioner for close to five (5) years. She has made some significant changes in her life. As a result of these changes, she will be a valuable asset to the medical community in Houston, Texas. The strengths she exhibits are: professionalism, compassion, maturity, and a tireless work ethic. Mr. Vauter believes these qualities are invaluable for any profession, especially a nurse. Petitioner's biggest regret to date, was surrendering her nursing license. She thoroughly enjoyed her career as a Registered Nurse. She enjoyed helping people and took great pride in her profession. Mr. Vauter has had the opportunity to see Petitioner grow into a completely different person than the one he first met. She is very active in Alcoholics Anonymous in Pearland, Texas. She takes great pleasure in working with others that suffer from alcoholism. Mr. Vauter thinks the Alcoholics Anonymous program has really changed Petitioner's attitude and outlook on life. She is now a very proud mother and loving wife. Mr. Vauter is very proud of Petitioner and looks forward to seeing her get her nursing license reinstated. It is Mr. Vauter's opinion that Petitioner has learned from her mistake and would never take the position for granted.

- 7.8. Letter of support from Mary Ragland, Houston, Texas, states she has known Petitioner for one (1) year and eight (8) months. As long as Ms. Ragland has known Petitioner, she has lived by a moral and ethical lifestyle. She is a warm and caring individual. Petitioner will be an asset to the healthcare community. Petitioner has never blamed others for her mistakes and has taken full responsibility for them.
- 7.9. Letter of support from Art Pierard, Midlothian, Texas, states he has known Petitioner since he hired her in October 2006. Mr. Pierard believes that Petitioner exhibits all the traits every company is looking for in their staff. He would put Petitioner into his top 10 best hires of all time. At EDGE Direct, one of Mr. Pierard's jobs was to unlock the building and turn off the alarms for business to begin at 7:00 am. Every morning when he arrived at 6:45 am, Petitioner was already in the parking lot ready for work. She volunteered anytime extra hours were needed to work. She is intelligent and very passionate about customer service. Petitioner is definitely a strong team player that has the respect of her peers.
- 7.10. Letter of support, dated April 30, 2008, from Ann T. Stone, Houston, Texas, states, she has known Petitioner for more than five (5) years. Petitioner has always displayed a high degree of integrity, responsibility, and ambition. She is definitely the type of kind and compassionate person that is an asset to the medical profession. Petitioner embodies all the qualities necessary for a nurse to be effective in providing patient care and dealing with family members who are coping with difficult and stressful situations. Petitioner's good judgment and mature outlook ensure a logical and practical approach to her endeavors and her empathy and grace are particularly suited to the profession she has chosen.
- 7.11. Letter of support, dated April 28, 2008, from Mary Beth Peters, Houston, Texas, states she has known Petitioner for approximately five (5) years. During this time, Ms. Peters has become to know Petitioner as an intelligent, reliable, dedicated and compassionate young woman, who has leadership qualities. Ms. Peters holds Petitioner in the highest regard and thinks she will be successful in any undertaking.
- 7.12. Letter of support, dated May 6, 2008, from Anthony Hernandez, Richmond, Texas, states he has had the pleasure of knowing and working with Petitioner for almost two (2) years. During those years, Petitioner has been a figure of leadership in the department. Her responsibilities have grown with the activity of a growing company and within the initial stages of the inception of their department. Petitioner is always quick on her feet, with sensible reactions in all circumstances. Mr. Hernandez feels confident in saying that Petitioner is capable of handling any situation with thoughtfulness and maturity.
- 7.13. Letter of support, dated May 2, 2008, from Beverly Woodruff, Houston, Texas, states she has known Petitioner for the past fourteen (14) years. Petitioner is very creative, intelligent, well-organized, and cooperative individual. With her friendly manner and

congenial personality, it has always been a pleasure to work with her on different events such as United Way and Special Olympics. She always has an enthusiastic approach to everything she does.

- 7.14. Letter of support, dated July 1, 2008, from Laura Fertak, Houston, Texas, states, he has known Petitioner since elementary school. They were involved in athletics together for many years. Ms. Fertak found Petitioner to be committed to the teams they played on and saw this dedication continue with her nursing career. Petitioner seemed to be very happy with her chosen profession. Petitioner has been very up front with her difficulties she has faced. She has shown her determination to overcome these problems. She has not only been sober for nearly three (3) years, she is involved with and coordinating meetings to help those with substance addictions. Ms. Fertak thinks Petitioner is mentally and physically ready to return to her dream of nursing.
- 7.15. Letter of support, dated May 21, 2008, from Kelly Musick, Houston, Texas, states she has known Petitioner for the past 2-1/2 years and can say that she has made great strides in changing her life. Ms. Musick is Petitioner's sponsor in Alcoholics Anonymous and knows that she is actively going to meetings. Petitioner also works with other women and is always ready to help someone else. She has become a responsible person to her family and friends. Petitioner does what she says she will do and is willing to be flexible when necessary. In the time that Ms. Musick has known Petitioner, she has become a devoted wife and caring mother. Ms. Musick is looking forward to watching her life change and watch her grow into the person she believes Petitioner can be.
- 7.16. Letter of support, dated May 21, 2008, from Tracey Brown, Pearland, Texas, states she has known Petitioner for approximately two (2) years and has had the pleasure of working with her. While working at Quick Weight Loss Center, Ms. Brown was Petitioner's manager. Petitioner proved herself to be a valuable Assistant Manager, was professional at her job tasks, and was an outstanding representative with customer relations. While employed, Petitioner was always punctual and had a great work ethic and attitude.
- 7.17. Letter of support from Lynda Sexton, Houston, Texas, states Petitioner worked for her between January 9, 2006, through September 30, 2006, at Quick Weight Loss Center. She was very dependable, worked very hard, and never called in. Petitioner was randomly tested twice and passed with no problems. Petitioner would be re-hired at any time.
- 7.18. Documentation of support group attendance dating from February 2006 through October 2007.
- 7.19. Documentation of twenty (20) Type I contact hours of continuing education.

8. Petitioner gives October 3, 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 Texas Board of Nursing, that the petition of WENDY LYN WOODRUFF, Registered Nurse License Number 590272, to practice professional nursing in the state of Texas, be and the same is hereby DENIED, WITH THE DENIAL STAYED, AND SUBJECT TO THE FOLLOWING PROBATION 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 §211.1 *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 professional nursing in the State of Texas

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is 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 NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a minimum 80-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure probation conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to WENDY LYN WOODRUFF, shall be subject to the following agreed post-licensure probation conditions:

(6) PETITIONER SHALL, within forty-five (45) days following relicensure, apply to and be accepted into the Texas Peer Assistance Program for Nurses (TPAPN), which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

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

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

(9) PETITIONER SHALL CAUSE the TPAPN to notify the Board of Nursing of any violation of the TPAPN contract.

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.

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 license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 13th day of January, ~~2008~~ 2009 *WW*

Wendy Lyn Woodruff
WENDY LYN WOODRUFF, Petitioner

Sworn to and subscribed before me this 13th day of January, 2008.⁹ *A*




Karla Alcala
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 13th day of January, 2009, by WENDY LYN WOODRUFF, Registered Nurse License Number 590272, and said Order is final.



Effective this 22nd day of January, 2009.


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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate §
Number 590272 issued to §
WENDY WOODRUFF §

ORDER OF THE BOARD

To: WENDY WOODRUFF
 2740 Masters Drive
 League City, Texas 77573

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of professional nurse license number 590272, issued to WENDY WOODRUFF, hereinafter referred to as Respondent. This action was taken in accordance with Article 4525.1(c), Revised Civil Statutes of Texas, as amended.

Respondent waived representation by counsel, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent is currently licensed to practice professional nursing in the State of Texas.
3. Respondent received a Baccalaureate Degree in Nursing from Texas Womens University, Denton, Texas in December 1992.

4. Respondent's professional employment history includes:

May 1993 to August 1994

Staff Nurse
Methodist Hospital
Houston, Texas

August 1994 to November 1994

Unknown

December 1994 to July 30, 1996

Staff Nurse
Texas Orthopedic Hospital
Houston, Texas

5. At the time of the incident, Respondent was employed as a Staff Nurse in the Orthopedic Unit with Methodist Hospital, Houston, Texas and had been in this position for seven (7) months.
6. Respondent while employed with Methodist Hospital, on or about December 13, 1993, engaged in the interperate use of drugs that could have endangered patients in that she produced a specimen for a drug screen which tested positive for Cocaine. Possession of Cocaine is prohibited by Chapter 481 (Controlled Substance Act) of the Texas Health & Safety Code.
7. Charges were filed on September 10, 1996.
8. Charges were mailed to Respondent on September 12, 1996.
9. Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas.

CONCLUSIONS OF LAW

1. Pursuant to Article 4525, Revised Civil Statutes of Texas, as amended, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. Under Article 4525.1(c), Revised Civil Statutes of Texas, as amended, the Board has the authority to accept the voluntary surrender of a license.
4. Under Article 4525.1(d), Revised Civil Statutes of Texas, as amended, the Board may impose conditions for reinstatement of licensure.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of license number 590272, heretofore issued to WENDY WOODRUFF to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to WENDY WOODRUFF, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is in surrender.
3. RESPONDENT SHALL NOT submit a petition for reinstatement until five (5) years have elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

Signed this 29th day of October, 1996.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

By:



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