



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

DOCKET NUMBER 507-12-5880

**IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 116652
ISSUED TO
BEVERLY JEAN WARD**

§
§
§
§
§

**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

OPINION AND ORDER OF THE BOARD

TO: BEVERLY JEAN WARD
908 S. 6TH STREET
CHILLICOTHE, TX 79225

SHANNON KILGORE
ADMINISTRATIVE LAW JUDGE
300 WEST 15TH STREET
AUSTIN, TEXAS 78701

At the regularly scheduled public meeting on October 18-19, 2012, the Texas Board of Nursing (Board) considered the following items: (1) Order Number 2, *Order Dismissing Case*, issued by the Administrative Law Judge (ALJ) in the above cited matter; (2) Staff's recommendation that the Board revoke the Respondent's vocational nursing license by default; and (3) Respondent's recommendation to the Board regarding the above cited matter, if any.

On May 30, 2012, the ALJ convened a hearing on the merits in this matter. Staff of the Board was present for the hearing. However, the Respondent was not present at the hearing, and no one appeared on her behalf. During the hearing on May 30, 2012, Staff introduced evidence into the record demonstrating that Respondent had been sent a Notice of Hearing by first class certified mail return receipt requested to her last known address of record maintained by the Board in accordance with 22 Tex. Admin. Code §213.10(a). The ALJ found that Staff's notice was adequate, granted Staff's Motion for Default, and issued Order No. 2, dismissing the case from the docket of the State Office of Administrative Hearings (SOAH) and remanding it to the Board for informal disposition on a default basis in accordance with the Government Code §2001.056.

The Board, after review and due consideration of Order Number 2, *Order Dismissing Case*, finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with the Government Code §2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Occupations Code Chapter 301 (Nursing Practice Act) for retention of Respondent's license to practice vocational nursing in the State of Texas. The Board further finds that the Formal Charges were properly initiated and filed in accordance with the Occupations Code §301.458. The Board further finds that proper and timely notice regarding the violations alleged in the Formal Charges was given to Respondent in accordance with the requirements of the Government Code §2001.051 and §2001.052 and 1 Tex. Admin. Code §155.501. The Board further finds that the Respondent failed to appear in accordance with 22 Tex. Admin. Code Chapter 213 and 1 Tex. Admin. Code §155.501. As a result of the

Respondent's failure to appear, the Board has determined that the factual allegations listed in the Notice of Hearing and Formal Charges are to be deemed admitted by default and the Board is authorized to enter a default order against the Respondent pursuant to the Government Code §2001.056 and 22 Tex. Admin. Code §213.16. Further, the Board has determined that it is entitled to revoke the Respondent's vocational nursing license pursuant to 22 Tex. Admin. Code §213.33(m).

Therefore, the Board hereby adopts the factual allegations, which have been deemed admitted, and the conclusions of law contained in the Formal Charges, which are attached hereto and incorporated herein by reference for all purposes, and 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 in accordance with the Government Code Chapter 2001 and 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.

IT IS, THEREFORE, ORDERED THAT Permanent Certificate Number 116652, previously issued to BEVERLY JEAN WARD, to practice 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 multi-state privileges, if any, to practice nursing in the State of Texas.

Entered this 18th day of October, 2012.

TEXAS BOARD OF NURSING


KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR FOR THE BOARD

Attachment: Notice of Hearing and Formal Charges.

TEXAS BOARD OF NURSING

In the Matter of Permanent

Certificate Number 116652

Issued to **BEVERLY JEAN WARD**

NOTICE OF HEARING

SOAH Docket No. 507-12-5880

Respondent: **BEVERLY JEAN WARD**
908 S. 6th St.
Chillicothe, TX 79225

In accordance with Section 2001.051 et seq., Texas Government Code, you are hereby notified that a hearing will be held before an Administrative Law Judge (ALJ), beginning on the **Thirtieth (30th) day of May, 2012, at 9 a.m.**, at the **State Office of Administrative Hearings, William P. Clements Building, 300 West 15th Street, 4th Floor, Austin, Texas, 78701**, regarding Formal Charges previously filed and served upon you by the Texas Board of Nursing. The Formal Charges are attached and incorporated by reference as a part of this notice.

The hearing is to be held under the legal authority and jurisdiction of the Administrative Procedures Act, Texas Government Code §2001 et seq.; Title I Part VII Texas Administrative Code Chapter 155; the Nursing Practice Act, Texas Occupations Code §301.451 through §301.555; and the Board of Nursing Rule 213 at 22 Texas Administrative Code.

The particular sections of statutes and rules involved in determining the charges are stated in the attached Formal Charges in connection to the facts or conduct alleged.

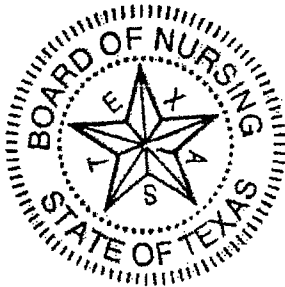
Pursuant to 22 TEX. ADMIN. CODE §213.22, you are required to enter an appearance in this proceeding by filing a written answer or other responsive pleading with the State Office of Administrative Hearings, P.O. Box 13025, Austin, Texas, 78711-3025, with a copy to the staff (General Counsel, Texas Board of Nursing, 333 Guadalupe, Suite 3-460, Austin, Texas 78701). **FAILURE TO ENTER AN APPEARANCE BY FILING A WRITTEN ANSWER OR OTHER RESPONSIVE PLEADING TO THE FORMAL CHARGES WITHIN TWENTY (20) DAYS OF THE DATE THIS NOTICE WAS MAILED, SHALL ENTITLE THE STAFF TO A CONTINUANCE AT THE TIME OF THE HEARING.** "Staff" is defined by 22 TEX. ADMIN. CODE §213.1(41). Continuances are set by the Administrative Law Judge.

SOAH Docket No. 507-12-5880, Beverly Jean Ward
May 7, 2012
Page 2 of 2

You have the right to appear at this hearing and to have legal representation at the hearing at your own expense. **FAILURE TO APPEAR AT THE HEARING IN PERSON OR BY LEGAL REPRESENTATIVE, REGARDLESS OF WHETHER AN APPEARANCE HAS BEEN ENTERED, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF SHALL BE GRANTED BY DEFAULT.**

If it is determined that the Formal Charges are substantiated, then any prior disciplinary action that has been taken against your license will be considered when determining the appropriate sanction for these violation(s).

Issued, dated, and mailed this, the 7th day of May, 2012.



TEXAS BOARD OF NURSING

Katherine A. Thomas

By:

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

In the Matter of Permanent License § BEFORE THE TEXAS
Number 116652, Issued to §
BEVERLY JEAN WARD, Respondent § BOARD OF NURSING

ORDER OF TEMPORARY SUSPENSION

TO: Beverly Jean Ward
908 S. 6th St.
Chillicothe, TX 79225

A public meeting of the Texas Board of Nursing was held on April 18, 2012 at 333 Guadalupe, Room 2-225, Austin, Texas, in which the Temporary Suspension of Permanent Vocational Nurse License Number 116652, issued to BEVERLY JEAN WARD was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of BEVERLY JEAN WARD and whether her continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

On or about March 7, 2012, Respondent become non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on December 2, 2011. Non-compliance is the result of Respondent's failure to initiate or follow through with enrollment in the Texas Peer Assistance Program for Nurses (TPAPN). Stipulation Number One (1) of the Agreed Order dated December 2, 2011, states:

"(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty

dollars (\$350.00) payable to TPAPN."

On or about March 7, 2012, Respondent was dismissed from TPAPN and referred to the Board. A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated December 2, 2011, is attached and incorporated, by reference, as part of this pleading.

The Texas Board of Nursing further finds that, given the nature of the charges concerning her fitness to practice, the continued practice of nursing by BEVERLY JEAN WARD constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Vocational Nurse License No. 116652 is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 116652, issued to BEVERLY JEAN WARD, to practice nursing in the State of Texas be, and the same is hereby, SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61st day following the date of the entry of this order.

Entered this 18 day of April, 2012

TEXAS BOARD OF NURSING

BY:


KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR

In the Matter of Permanent License § BEFORE THE TEXAS
Number 116652, Issued to §
BEVERLY JEAN WARD, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, BEVERLY JEAN WARD, is a Vocational Nurse holding license number 116652, 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 March 7, 2012, Respondent become non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on December 2, 2011. Non-compliance is the result of Respondent's failure to initiate or follow through with enrollment in the Texas Peer Assistance Program for Nurses (TPAPN). Stipulation Number One (1) of the Agreed Order dated December 2, 2011, states:

"(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350.00) payable to TPAPN."

On or about March 7, 2012, Respondent was dismissed from TPAPN and referred to the Board. A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated December 2, 2011, 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 is a violation of 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, and including, revocation of Respondent's license/s 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.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/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 December 2, 2011, Order of the Board dated January 28, 1992, and Order of the Board dated November 19, 1986.

Filed this 14 day of April, 2012.

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

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

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 the Board dated December 2, 2011, and Order of the Board dated January 28, 1992.

D/2012.03.07

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 116652 §
issued to BEVERLY JEAN WARD § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BEVERLY JEAN WARD, Vocational Nurse License Number 116652, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(12), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 11, 2011, 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(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Vernon Regional Junior College, Vernon, Texas, on September 5, 1986. Respondent was licensed to practice vocational nursing in the State of Texas in November 22, 1986.
5. Respondent's vocational nursing employment history is unknown.

6. On or about November 19, 1986, Respondent's license to practice vocational nursing was **SUSPENDED** with the Suspension **STAYED** and placed on Probation with Stipulations for a period of one (1) year by the Board of Vocational Nurse Examiners for the State of Texas, a Copy of the Findings of Fact, Conclusions of Law and Agreed Board Order dated November 20, 1986, is attached and incorporated, by reference, as part of this order.
7. On or about January 28, 1992, Respondent was issued the sanction of a **REPRIMAND** by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated December 11, 1991, is attached and incorporated herein, by reference, as part of this Order.
8. On or about April 10, 2009, Respondent submitted a License Renewal Form to the Texas Board of Nursing in which Respondent answered "Yes" to the question: "In the past five (5) years, have you been diagnosed with or treated or hospitalized for schizophrenia or other psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder? (You may answer "no" if you have completed and/or are in compliance with TPAPN for mental illness.)"
9. In response to Finding of Fact Number Eight (8), Respondent states: In June of 2004, her doctor from the Helen Farabee Regional Mental Health and Mental Retardation Centers took her off her Depakote 2000 mg. Respondent states her doctor said she was doing so good that he wanted to try it. Respondent states she understood why he did it, but she cratered very quickly and he (the doctor) did not replace the Depakote with another drug.

In August of 2005, her doctor put her on 200 mg of Seroquel. This enabled Respondent to get back on the job, but not stay on it. Respondent states when she began receiving Medicare, she hired a private psychiatrist and was placed on 600 mg of Seroquel and other medications and has been doing well. Respondent further states she is looking forward to working with TPAPN.

10. Dr. Bryan Wreck, of Rose Street Mental Health Care, Wichita Falls, Texas, states Respondent has been under his psychiatric care since September 2007, when she was hospitalized for treatment of Bipolar Disorder. Since that time, Respondent has continued his care for outpatient medication management. Respondent was last seen on April 13, 2009, at that time, she was doing quite well and there was no evidence of depression, mania, or other mood instability. Dr. Wreck states Respondent informed him of her plan to regain her nursing license so that she could continue her nursing career, and he felt that this was a reasonable goal.

Dr. Wreck also states Respondent suffered from Bipolar Disorder, but fortunately, has responded well to medications. Respondent's current medications include: Neurontin 600 mg q HS; Seroquel 600mg q HS; Effexor XR 75mg q Day; Risperdal 1.5mg. BID; Depakote ER; Buspar; and Rozerem 8mg q HS pm as needed for sleep. Respondent is very complaint

with her medications and feels that this current regimen is both quite helpful and well tolerated. Respondent is seen every one-to-two months, depending on her condition or stressors in her life. In addition, Respondent has seen therapist Kathryn Cleary, LCSW. Respondent is diligent about attending her appointments, living more than one hour from his office, and he considers her a very compliant patient. Although Respondent's future course is impossible to predict, Dr. Wreck considers her prognosis good as long as she continues in treatment and he further states he assumes that Respondent's license should be reinstated and that a period of monitoring of her job function, as well as psychiatric stability monitoring be required.

11. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
12. Respondent's conduct described in Finding of Fact Number Eight (8) was significantly influenced by Respondent's mental illness.
13. 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)(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 116652, heretofore issued to BEVERLY JEAN WARD, including revocation of Respondent's license(s) 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 TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep her license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a

multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

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

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RESPONDENT'S CERTIFICATION

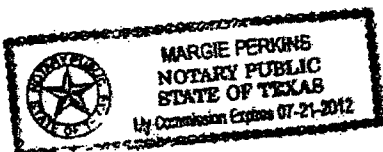
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. 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 Texas Board of Nursing, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 29th day of Nov, 20 11.

Beverly Jean Ward
BEVERLY JEAN WARD, Respondent

Sworn to and subscribed before me this 29th day of Nov, 20 11.


SEAL



Margie Perkins
Notary Public in and for the State of Texas

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 29th day of November, 2011, by BEVERLY JEAN WARD, Vocational Nurse License Number 116652, and said Order is final.

Entered and effective this 2nd day of December, 2011.



Katherine A. Thomas

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

#116652

BOARD OF VOCATIONAL NURSE EXAMINERS	*	STATE OF TEXAS
	*	
VS.	*	
	*	
BEVERLY JEAN BROWN	*	COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 116652 held by BEVERLY JEAN BROWN, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of Article 4528c, Section 10 (a) (9), Revised Civil Statutes of Texas, in the following manner:

- a. Respondent was employed as a Licensed Vocational Nurse at Texoma Regional Care Center in Vernon, Texas from about April 24, 1991 through about July 4, 1991.
- b. While so employed at said facility on July 4, 1991, Respondent incorrectly administered Heparin 5000 units to resident L.S. in the resident's right arm.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the

RECORDED 11 1991

#116652

AGREED BOARD ORDER

Re: Beverly Jean Brown, LVN #116652
Page 3

It is also ordered that BEVERLY JEAN BROWN shall comply with all the provisions of Article 4528c, Revised Civil Statutes of Texas.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Date this the 11 day of December, 1991.

Beverly Jean Brown
Signature of Respondent

P.O. Box 442
Current Address

Chillicothe, TX 79225
City, State and Zip

817 / 852-5635
Area Code and Telephone Number

The State of Texas
County of Harrison

Before me, the undersigned authority, on this day personally appeared BEVERLY JEAN BROWN, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 11th day of Dec, 1991.



Maribeth Hampton
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 4-7-92

RECEIVED DEC 15 2011

#116652

AGREED BOARD ORDER
Re: Beverly Jean Brown, LVN #116652
Page 4

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

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 2nd
day of January, 1982

Richard C. Reynolds
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

#116652

AGREED ORDER
RE: BEVERLY JEAN BROWN, LVN #116652
PAGE 6

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of January, 1992
a true and correct copy of the foregoing Order was served by placement in the
U.S. Mail, first class, and addressed to the following person(s):

Beverly Jean Brown
P.O. Box 442
Chillicothe, Texas 79225

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

RECEIVED DEC 15 2011

BEFORE THE BOARD OF VOCATIONAL
NURSE EXAMINERS IN AND FOR THE
STATE OF TEXAS

ORDER OF THE BOARD

TO: Beverly Jean Ward
P. O. Box 424
Chillicothe, Texas 79225

The Board of Vocational Nurse Examiners in and for the State of Texas, held a scheduled Hearing on the 19th day of November, 1986, to determine the eligibility of BEVERLY JEAN WARD, an Applicant for Licensure through Examination, to be licensed by the Board of Vocational Nurse Examiners, pursuant to the provisions of Article 4528c, V.A.C.S.

At the hearing Mrs. Linda Savannah, L.V.N., President of the Board, presided and the following members were present:

Mrs. Lola Marie Mills, LVN
Mrs. Sharon Johnson, LVN
Mrs. Kathleen Hardy, LVN
Mrs. Annie Mae Parker, LVN
Mrs. Adelia D. Miller, R.N.
Mr. Victor W. Rhoads

The Board of Vocational Nurse Examiners for the State of Texas was represented by Susan Henricks, Attorney at Law. Testimony and other evidence was received by the Board and, as a result thereof, the Board makes the following Findings of Facts and Conclusions of Law.

FINDINGS OF FACT

1. That BEVERLY JEAN WARD aka BEVERLY JEAN SHINN is an applicant for licensure through examination in the State of Texas.
2. That a sworn complaint was filed with the Board of Vocational Nurse Examiners for the State of Texas in accordance with Article 4528c, Section 10 (d) of the Vocational Nurse Act.
3. That Notice of Hearing and Complaint were sent to BEVERLY JEAN WARD aka BEVERLY JEAN SHINN in accordance with Article 6252-13a, of the Administrative Procedure Act, as amended.

RECEIVED DEC 15 2011

ORDER OF THE BOARD
11-19-86
RE: BEVERLY JEAN WARD aka BEVERLY JEAN SHINN
PAGE 2

110000

4. That BEVERLY JEAN WARD aka BEVERLY JEAN SHINN was present before the Board.
5. That BEVERLY JEAN WARD aka BEVERLY JEAN SHINN was not represented by counsel.
 - a. On or about August 28, 1986, BEVERLY JEAN WARD aka BEVERLY JEAN SHINN submitted a signed Application for Licensure by Examination to the Texas Board of Vocational Nurse Examiners with a "yes" response to the question "Have you ever been declared judicially incompetent or judicially committed to a psychiatric institution."
 - b. On or about May 26, 1981 by Writ of Commitment, BEVERLY JEAN WARD aka BEVERLY JEAN SHINN was judicially committed to the Vernon Center MH/MR Hospital, by the County Court of Hardeman County, Texas, Cause No. 3740.

CONCLUSIONS OF LAW

1. That BEVERLY JEAN WARD aka BEVERLY JEAN SHINN has been adjudicated as mentally incompetent, in violation of Article 4528c, Section 10 (a) (10), Revised Civil Statutes of Texas.
2. That BEVERLY JEAN WARD aka BEVERLY JEAN SHINN has provided the Board with sufficient and satisfactory evidence of her fitness to practice as a vocational nurse.

ORDER

NOW, THEREFORE, IT IS ORDERED that in the event that BEVERLY JEAN WARD aka BEVERLY JEAN SHINN passes the licensure examination, she will be issued a license. It is further ordered that said license shall be suspended, suspension stayed and placed on probation of a period of one (1) year.

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

1. That Respondent shall cause her employer(s) to submit satisfactory reports to the Board Office on a quarterly basis for the term of probation.

That said reports are due on the following dates:

February 19, 1987

May 19, 1987

August 19, 1987

November 19, 1987

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ORDER OF THE BOARD


11-19-86

RE: BEVERLY JEAN WARD aka BEVERLY JEAN SHINN

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2. That should Respondent's address or telephone number change, she is to notify the Board Office immediately.
3. That Respondent shall conduct herself in conformity with this order, shall conform to all laws of the State of Texas, the Vocational Nurse Act and the Rules and Regulations of the Board of Vocational Nurse Examiners.
4. That failure to comply with conditions of probation will result in further disciplinary action by the Board.

Entered this the 19th day of November, 1986.



JOYCE A. HAMMER, R.N.
Executive Director
Board of Vocational Nurse Examiners

SWORN AND SUBSCRIBED to before me, the undersigned authority, on this the 19th day of November, 1986.



NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
Linda Rae Kent
My Commission Expires 10-24-89.

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Certificate to Order of the Board
In the matter of Exam Applicant
BEVERLY JEAN WARD

The aforementioned Findings of Fact, Conclusions of Law and Order of the Board represent a final decision or Order duly made by the Board of Vocational Nurse Examiners in and for the State of Texas on this the 19th day of November, 1966.

Lila Suzanne Linn
Alma Elizabeth Lee
Annie Mae Packard
Adeline D. Miller, R.N.
Victor W. Frank
Lola Marie Miller, R.N.

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