



4. Petitioner's vocational nursing employment history included:

9/00 - 4/01	LVN	Garden Terrace Health Care Center Graham, Texas
10/00 - 1/02	LVN	Graham Regional Medical Center Graham, Texas
9/01 - 2/04	LVN	Garden Terrace Health Care Center Graham, Texas
8/03 - 11/03	LVN	CN Staffing Baylor Geratric Center Dallas, Texas
8/03 - 4/04	LVN	Maxim Health Systems Dallas, Texas
5/04 - Present	Not employed in nursing	

5. On September 14, 2004, Petitioner's license to practice vocational nursing in the State of Texas was Revoked by the Board of Nurse Examiners for the State of Texas.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 September 14, 2004, Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.
6. On or about March 12, 2007, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.
7. Petitioner presented the following in support of her petition:
- 7.1. Letter of support, from Andrew R. Collier, M.A., LPC, states he was Petitioner's counselor during her inpatient treatment at The Treatment Center, Wichita Falls, Texas. Petitioner successfully completed residential treatment, remaining in treatment for a recommended time of sixty (60) days. Mr. Collier states that Petitioner has two years of sobriety and has obtained a sponsor for relapse prevention and continued sobriety.
- 7.2. Letter of support, from Becky Schreiber, BA, LCDC, Program Director/Counselor, Serenity Foundation of Texas, Wichita Falls, Texas, states she has known Petitioner for over four (4) years in a local twelve (12) step program, but Petitioner has been in

the treatment program since July 3, 2006. Petitioner has tested randomly twelve (12) times and her tests were negative. Petitioner has completed her step work and is working with sponsors. Ms. Schreiber states that Petitioner has identified the areas of concern in her program and has diligently worked on issues and put healthy strategies in place to enable her to maintain recovery.

- 7.3. Letter of support, from Charles Richardson, LHP, Helen Farabee MHMR Centers, Wichita Falls, Texas, states he has worked with Petitioner as her supervisor for two (2) years in a group home with Helen Farabee MHMR Centers. Petitioner has shown the ability to care for the consumers of the group home which are six adults with mild to moderate mental retardation. She has shown good decision-making skills in times of crisis and has maintained a very good rapport with the clients as well as the staff. Petitioner has demonstrated good working skills and has adjusted well to the many changes in the organization.
  - 7.4. Letter of support, from Michelle D. Campbell, LVN, Kell West Regional Hospital, Wichita Falls, Texas, states she has known Petitioner for two (2) years, and she is a dependable employee. Ms. Campbell states that Petitioner diligently works a twelve step program and applies it to her daily life. She has spiritual principles that she practices each day. Ms. Campbell states that Petitioner is honest about her past and uses her past to help others. Ms. Campbell recommends reinstatement of Petitioner's nursing license.
  - 7.5. Letter of support, from Lori Pitts, Wichita Falls, Texas, states she has been a friend to Petitioner for two (2) years and she reaches out to others with empathy and compassion. Petitioner is devoted to making life better for herself and others.
  - 7.6. Letter of support, from Richard A. Day, states that he has known Petitioner for three (3) years and she has overcome many obstacles. She attends a twelve step program and is faithful and steadfast in the program. Mr. Day recommends reinstatement of Petitioner's nursing license.
  - 7.7. Letter of support, from Cheryl Gillem, states she has known Petitioner for five (5) years and she is very serious about her recovery and attends meetings regularly. Ms. Gillem states that Petitioner has changed her life and is an asset to the nursing community. Ms. Gillem recommends reinstatement of Petitioner's nursing license.
  - 7.8. Verification of successful completion of twenty-one (21) Type I Continuing Education Contact Hours.
8. Petitioner gives April 4, 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. 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.
3. 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 TERRI LATRIECE CLARK, Vocational Nurse License Number 177079, to practice vocational 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 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 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 TERRI LATRIECE CLARK, shall be subject to the following agreed post-licensure stipulations:

(2) 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 three hundred fifty dollars (\$350) payable to TPAPN.

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

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

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

(6) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding Sexual Misconduct, fraud, Theft and Deception, Nurses with Chemical Dependency, and Lying and

Falsification. Courses focusing on malpractice issues will not be accepted. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify PETITIONER's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses can be found on the Board's website address: <http://www.bne.state.tx.us/about/stipscourses.html>.*

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 license and multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

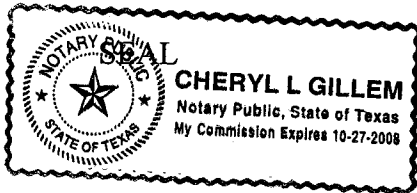
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. 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 license to practice vocational nursing in the state of Texas. 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 26<sup>th</sup> day of September, 2007.

TERRI L. CLARK  
TERRI LATRIECE CLARK, Petitioner


Sworn to and subscribed before me this 26<sup>th</sup> day of September, 2007.



Cheryl L. Gillem  
Notary Public in and for the State of \_\_\_\_\_

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 26th day of September, 2007, by TERRI LATRIECE CLARK, Vocational Nurse, License Number 177079, and said Order is final.

Effective this 11th day of December, 2007.

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



IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 177079	§	COMMITTEE OF THE BOARD
ISSUED TO	§	OF NURSE EXAMINERS OF THE
TERRI LA TRIECE CLARK	§	STATE OF TEXAS

**ORDER OF THE BOARD**

TO: Terri La Triece Clark  
118 Gleese Street  
Graham, Texas 76450

During open meeting held in Austin, Texas, on September 14, 2004, 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 302 of 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 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 177079, previously issued to TERRI LA TRIECE CLARK, to practice 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 multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 14th day of September, 2004.

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 177079, Issued to** § **OF NURSE EXAMINERS**  
**TERRI LA TRIECE CLARK, Respondent** § **FOR THE STATE OF TEXAS**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 302.402(b), Texas Occupations Code. Respondent, TERRI LA TRIECE CLARK, is a Vocational Nurse holding license number 177079, 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 November 8, 2003, while employed with CN Staffing, Inc., Dallas, Texas, Respondent engaged in the intemperate use of Methamphetamine in that she produced a specimen for a drug screen which resulted positive for Methamphetamine. Possession of Methamphetamine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substance Act). The use of Methamphetamine 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes a violation of Section 302.402(9) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(28).

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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. Additionally, staff will seek to impose on Respondent administrative costs in an amount of at least one thousand two hundred dollars (\$1200.00) pursuant to 301.461 TEX. ADMIN. CODE.

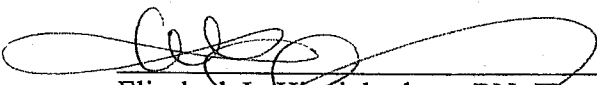
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us).

Filed this 6<sup>th</sup> day of August, 2004.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
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Re: Permanent Certificate Number 177079  
Issued to TERRI LA TRIECE CLARK  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of September, 20 04 a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via first class mail, and addressed to the following person(s):

Terri La Triage Clark  
118 Gleese Street  
Graham, Texas 76450

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