



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Vocational Nurse License Number 232576 §
issued to HEATHER MARIE KRUSE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of HEATHER MARIE KRUSE, Vocational Nurse License Number 232576, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, 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 of the matters specified below in these Findings of Fact was provided to 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 Hill Junior College, Hillsboro, Texas, on December 9, 2010. Respondent was licensed to practice vocational nursing in the State of Texas on January 11, 2011.
5. Respondent's vocational nurse employment history is unknown.

6. On or about July 18, 2012, Respondent pled Nolo Contendere to POSSESSION OF CONTROLLED SUBSTANCE <1GR PG1, a State Jail Felony offense committed on June 25, 2012, in the 66th District Court, Hill County, Texas, under Cause No. 37,390. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of five (5) years, and ordered to pay restitution in the amount of one hundred forty dollars (\$140.00), along with court costs.
7. On or about July 18, 2012, Respondent pled Nolo Contendere to BURGLARY OF A HABITATION, a 2nd Degree Felony offense committed on September 1, 2011, in the 66th District Court, Hill Country, Texas, under Case No. 37,101. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of five (5) years, and ordered to pay restitution in the amount of nine hundred dollars (\$900.00), along with court costs.
8. On or about July 18, 2012, Respondent pled Nolo Contendere to and was found Guilty of THEFT PROPERTY >= \$20<\$500 BY CHECK, a Class B misdemeanor offense committed on September 5, 2011, in the County Court at Law, Hill County, Texas, under Cause No. M0710-11. As a result of the conviction, Respondent was sentenced to confinement in the Hill County Jail for a period of thirty (30) days.
9. On or about September 15, 2012, Respondent may have lacked fitness to practice vocational nursing, in that she submitted a License Renewal Form to the Texas Board of Nursing in which she answered "yes" to the question: "In the past 5 years, have you been addicted or treated for the use of alcohol or any other drug? (You may answer "no" if you have completed and/or are in compliance with TPAPN)."

Furthermore, Respondent submitted a written statement with the renewal where in she disclosed that she is currently in a rehabilitation program for drug abuse.

Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patient's conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

10. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.
11. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

12. 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.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(5)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(3),(10)&(12), Texas Occupations Code, to take disciplinary action against, Vocational Nurse License Number 232576, heretofore issued to HEATHER MARIE KRUSE, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 232576, heretofore issued to HEATHER MARIE KRUSE, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a

vocational nurse during the period in which the license is surrendered.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

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RESPONDENT'S CERTIFICATION

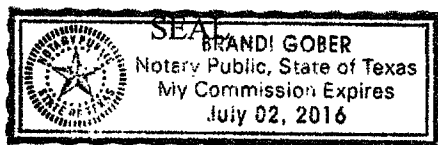
I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 20 day of November, 2012.

Vaessa Kruse, Power of Attorney for Heather Kruse
HEATHER MARIE KRUSE, Respondent

Sworn to and subscribed before me this 20 day of November, 2012.



[Signature]

Notary Public in and for the State of 7-02-2016

Approved as to form and substance.

Power of Attorney

STATE OF Texas

COUNTY/PARISH OF Hill

KNOW ALL MEN BY THESE PRESENTS:

That I, Heather Marie Kruse, of the full age of majority and a resident of _____, do hereby constitute and appoint:

Vanessa & Stephen Kruse

a person of the full age of majority as my true and lawful Attorney-in-Fact, for me, and in my name, place and stead to conduct, manage and transact all and singular my affairs, business, concerns and matters of whatever nature or kind, without any exception or reservation whatsoever; to open all letters of correspondence addressed to me and to answer the same; to make all banking transactions including opening and closing accounts as well as deposits and withdrawals from same; and generally to do and perform all and every other act, matter and thing whatsoever, as shall or may be requisite and necessary, touching or concerning my affairs, business or assets as fully, completely and effectually, and to all intents and purposes with the same validity, as if all and every such act, matter or thing, were or had been particularly stated, expressed, and especially provided for, or as I could or might do if personally present; also with full power of substitution and revocation; and I hereby agree to ratify and confirm all and whatsoever my said agent shall lawfully do or cause to be done by virtue of this act of procuration. I further give and grant unto my said Attorney-in-Fact full power and authority to sign all papers, deeds and documents; to issue all receipts and to do all acts necessary and proper to accomplish any and all of the duties hereinabove specified, with the same validity as I might myself do, were I personally present and acting for myself, and I hereby ratify and confirm whatever my said Attorney may do by virtue of this power. This agency is "durable" and shall not be deemed revoked by my disability or incapacity; nor shall this agency be deemed revoked by the passage of time.

THUS DONE AND PASSED, on this 31 day of July, 2012, in the presence of the undersigned competent witnesses who have hereunto signed their names with appearer and me, Notary, after due reading of the whole.

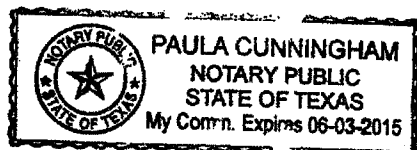
Witnesses:

Dawn Nelson

Heather Kruse

Martha Brooks

Paula Cunningham
Notary Public



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 232576, previously issued to HEATHER MARIE KRUSE.

Effective this 27th day of November, 2012.



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