

BOARD OF VOCATIONAL
NURSE EXAMINERS

VS

MARY HELEN WALDROP

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STATE OF TEXAS

COUNTY OF TRAVIS



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. Thomas
Executive Director of the Board

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the matter of vocational nurse license number 144282, held by MARY HELEN WALDROP hereinafter called Respondent.

A sworn Complaint has been filed and served on the Respondent, which alleges violations of the Texas Occupations Code, Chapter 302, and grounds to take disciplinary action against Respondent.

An informal conference was held on October 9, 2002, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Terrie L. Hairston, R.N., C.H.E., Hearing Officer, assisted by Ms. Janette Bowers, member of the Board of Vocational Nurse Examiners. Respondent was present and was represented by counsel.

The conference was attended by Shelly Johnson, LVN, Investigator for the Board, and Mr. Eugene Clayborn, Assistant Attorney General. By their notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing and a Formal Hearing of the Complaint before the Board, and to judicial review of this disciplinary action after this Order is ratified by the Board.

AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
PAGE 2

After reviewing the Complaint and information provided at the informal conference, Respondent agrees to the entry of an Order dispensing with the need for further proceedings on the Complaint. By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the allegations stated in the Complaint. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, that license number 144282, heretofore issued to MARY HELEN WALDROP to practice vocational nursing in the State of Texas be, and the same is hereby Suspended, with said suspension stayed and placed on probation for a period of two (2) years.

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

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.
2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Texas Occupations Code and Rules and Regulations of the Board.
3. That Respondent shall not practice nursing in a Nurse Licensure Compact remote state without obtaining prior written authority of both the BVNE and the Board of Nursing of the remote state.

AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
PAGE 3

4. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.

5. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

6. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. five.

7. That if Respondent is employed as a private duty, temporary agency, or home health nurse, Respondent shall cause his/her nurse supervisor(s) to conduct and document weekly supervisory reviews and/or supervised visits of all medical records of patients assigned to Respondent. While so employed, Respondent shall be responsible for causing his/her nurse supervisor(s) to submit said required documentation in the form of satisfactory reports directly to the Board office, as provided in Stipulation No. five.

8. That Respondent shall attend a Chemical Dependency Support Group, (A.A./N.A.), and shall be responsible for causing his/her program sponsor to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

9. That Respondent shall and hereby agrees to abstain from the consumption of Alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or use of unprescribed controlled substances. Any controlled or legend medication must be prescribed by a physician knowledgeable about the disease of addiction, as well as Respondent's history, and it is incumbent upon Respondent to ensure such physician knowledge. If prescribed medication, RESPONDENT SHALL CAUSE the attending physician to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the Board office by the prescribing physician, within ten (10) days of the date of the prescription.

10. That Respondent shall through the Board's agent (NCPS, Inc.), submit to random urine drug screens.

11. That Respondent shall be responsible daily for telephoning NCPS, Inc., Voice Response (VR) at 1-800-580-1099. That said drug screen shall be administered through the policies and procedures of the National Confederation of Professional Services, Inc. (NCPS, Inc.), utilizing LabCorp facilities. That said drug-screening panel shall consist of the following:

AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
PAGE 4

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|-------------------|--------------|---------------|
| Alcohol (Ethanol) | Cannabinoids | Methaqualone |
| Amphetamines | Cocaine | Opiates |
| Barbiturates | Meperidine | Phencyclidine |
| Benzodiazepines | Methadone | Propoxyphene |

Said screen(s) shall be properly monitored with adherence to chain of custody procedures. A positive result shall be legally confirmed by Gas Liquid Chromatography/Mass Spectrometry (GCMS). The results of said screen(s) shall be submitted directly to the Board office by the laboratory. The expense of said screen(s) shall be borne by Respondent. Any report of failure to contact NCPS, Inc., and/or a positive drug screen for which the Respondent does not have a valid prescription, will be regarded as non-compliance with the terms of this order and may subject the Respondent to further disciplinary action by the Board.

12. That Respondent shall obtain counseling, and shall be responsible for causing his/her counselor to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The expense of said counseling shall be borne by Respondent. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

13. That Respondent shall be responsible for causing his/her probation officer to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

14. That if Respondent is discharged from court ordered probation prior to completion of this probationary term, Respondent shall be responsible for causing his/her probation officer to submit a satisfactory report directly to the Board office.

15. That Respondent shall successfully complete nursing program course(s) encompassing the following areas of study: **Nursing Ethics**, and submit documentation of successful course completion to the Board office within the first six (6) months of probation. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to committing to said course(s). Said course(s) shall be through correspondence (through a recognized provider), in-house at a community college, university or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent. Failure to successfully complete said course(s) within the time frame stipulated, shall be considered a violation of probation.

16. That Respondent pay a Probation Monitoring fee in the amount of thirty (\$30.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter commencing the quarter following the date of the Board's ratification of the Order, and continuing thereafter until the successful completion of Respondent's

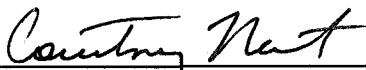
probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners ", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to make any quarterly payment on time shall constitute a violation of probation.

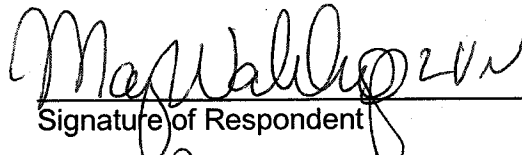
17. That Respondent shall return their license to the Board office for a replacement license marked "**PROBATION**" and pay a license re-issue fee in the amount of twenty (\$20.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said return of license and fee shall be made not later than thirty (30) days following the date of the Board's ratification of the Agreed Board Order. Said license and fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to return said license or pay said fee shall constitute a violation of probation.

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

Dated this the 9th day of October, 2002.

APPROVED:


COURTNEY NEWTON
Attorney for Respondent

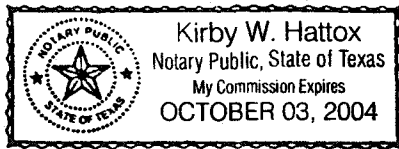

Signature of Respondent
P.O. Box 2
Current Address
THOMSON TX 76687
City, State and Zip
254 , 385-6837
Area Code and Telephone Number

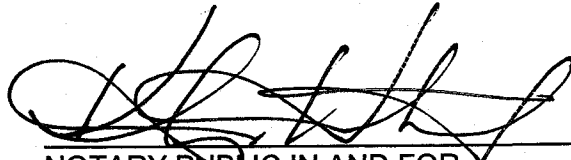
AGREED BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
PAGE 6

The State of Texas
County of TRAVIS


Before me, the undersigned authority, on this day personally appeared MARY HELEN WALDROP 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 this the 9th day of October, 2002.



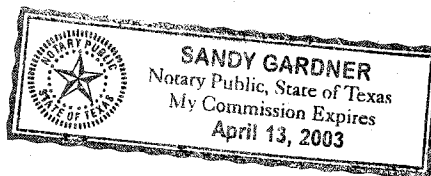


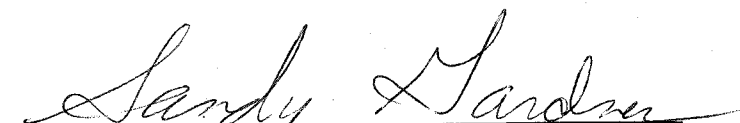
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



Terrie L. Hairston, R.N., C.H.E.,
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 31st day of October, 2002.



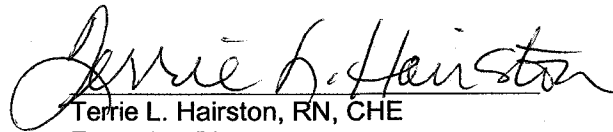


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

BOARD ORDER
RE: MARY HELEN WALDROP, LVN #144282
PAGE: 7

WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 9th day of October, 2002 by Respondent, license number 144282 and that Said Order is Final.

Effective this 3rd day of December, 2002

A handwritten signature in cursive script, reading "Terrie L. Hairston". The signature is written in black ink and is positioned above the printed name and title.

Terrie L. Hairston, RN, CHE
Executive Director
On Behalf of Said Board

BOARD ORDER

RE: MARY HELEN WALDROP, LVN #144282

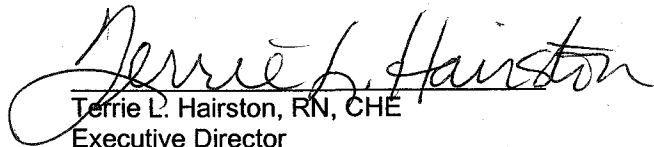
PAGE: 8

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of December, 2002, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

MARY HELEN WALDROP
PO BOX 2
THORNTON TX 76687

COURTNEY D. NEWTON
ATTORNEY AT LAW
4705 SPICEWOOD SPRINGS RD
STE 100
AUSTIN TX 78759


Terrie L. Hairston, RN, CHE

Executive Director
Agent for the Board of Vocational Nurse Examiners

RE: MARY HELEN WALDROP, LVN #144282
BOARD ORDER
PAGE 2

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby accept the Affidavit notarized on the 1st day of December 2003, by MARY HELEN WALDROP, LVN #144282, that the Board hereby ratifies and adopts the Final Order.

Effective this 22nd day of April, 2004.



Katherine A. Thomas, MN, RN
Executive Director
On Behalf of Said Board

STATE OF TEXAS

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COUNTY OF Limestone

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared MARY HELEN WALDROP, LVN #144282, who being by me duly sworn, deposes as follows:

My name is MARY HELEN WALDROP, I am over 18 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am a Licensed Vocational Nurse in the State of Texas and I am voluntarily surrendering my license to the Board of Vocational Nurse Examiners because I no longer desire to be licensed.

I understand that through this action the Board of Vocational Nurse Examiners may revoke my license without formal charges, notice, or a hearing.

I hereby waive my right to appeal or complain of any Order entered by the Board of Vocational Nurse Examiners accepting the voluntary surrender of my license.

Mary Waldrop
Affiant

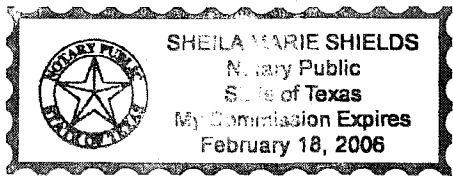
PO Box 2
Current Address

Thornton TX 76687
City, State and Zip

254.385.6837
Telephone Number

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on the 1 day of December 2005.

Sheila Marie Shields
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 2/18/06



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

☆☆

In the matter of Permanent
License Number 144282 issued
to MARY HELEN WALDROP

ORDER OF THE BOARD


TO: MARY HELEN WALDROP
P.O. BOX 2
THORNTON, TEXAS 76687

WHEREAS, MARY HELEN WALDROP has submitted to the Board an affidavit that he/she no longer desires to be licensed as a vocational nurse, and that he/she is voluntarily surrendering their license, the Board takes the following action:

ORDER

NOW THEREFORE, IT IS ORDERED that license number 144282, heretofore issued to MARY HELEN WALDROP, to practice vocational nursing in the State of Texas be, and the same is hereby revoked without formal charges, Notice of Hearing, or a formal hearing before the Board of Nurse Examiners.

Entered this the 22nd day of April, 2004.



Katherine A. Thomas, MN, RN
Executive Director
Board of Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the under signed authority, on this the 22nd day of April, 2004.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

RE: MARY HELEN WALDROP, LVN #144282
BOARD ORDER
PAGE 2

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby accept the Affidavit notarized on the 1st day of December 2003, by MARY HELEN WALDROP, LVN #144282, that the Board hereby ratifies and adopts the Final Order.

Effective this 22nd day of April, 2004.



Katherine A. Thomas, MN, RN
Executive Director
On Behalf of Said Board

BOARD OF VOCATIONAL NURSE
EXAMINERS

STATE OF TEXAS

VS.

MARY HELEN WALDROP

COUNTY OF TRAVIS

COMPLAINT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Shelly Johnson, LVN, who after being by me duly sworn, did depose and say:

As an Investigator for the Board of Vocational Nurse Examiners, I, Shelly Johnson, LVN, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against MARY HELEN WALDROP, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 144282, hereinafter called Respondent.

I.

a. On or about April 12, 2002, the Board of Vocational Nurse Examiners received a written referral from the Texas Peer Assistance Program for Nurses (TPAPN) alleging that Respondent was non-compliant.

II.

a. Respondent was employed as a licensed vocational nurse at Limestone Medical Center in Groesbeck, Texas from on or about August 10, 1993 through about March 30, 2002.

COMPLAINT
RE: MARY HELEN WALDRÖP, LVN #144282
PAGE 2

- b. While so employed at said facility, on or about December 14, 2001, Respondent attempted to fraudulently obtain hydrocodone by calling in an unauthorized prescription to a pharmacy.
- c. On or about May 29, 2002, the Board of Vocational Nurse Examiners received a computerized Criminal History Report from the Texas Department of Public Safety showing that Respondent had been convicted of a misdemeanor.
- d. On September 6, 2001, Respondent was convicted of the misdemeanor offense of DWI, in the County Court at Law of McLennon County, Texas under Case No. 2011314CR2. As a result of said conviction, Respondent was placed on probation for a period of one (1) year. On July 3, 2002, a Motion to Revoke Probation was filed alleging a probation violation in that Respondent committed an offense of theft over \$50.00, in the County Court at Law Number Two of McLennon County, Texas. As a result of said motion, a Warrant and Capias was issued.
- e. Respondent has been convicted of a crime, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said conviction is inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires knowledge and familiarity of drugs, and compliance with drug laws.

III.

The foregoing acts constitute unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (10) and Rule 239.11 of the Rules and Regulations of the Board of Vocational Nurse Examiners, Title 22, Texas Administrative Code. Rule 239.11, provides in pertinent part: that "Unprofessional Conduct" shall include, but not be limited to:

- (5) passing or attempting to pass forged, altered, falsified or unauthorized prescription(s) by electronic, telephonic, written communication or any other means;

COMPLAINT
RE: MARY HELEN WALDROP, LVN #144282
PAGE 3

- (6) obtaining or attempting to obtain or deliver medication(s) through means of misrepresentation, fraud, forgery, deception, and/or subterfuge;
- (7) knowingly falsifying and/or forging a physician's order/prescription;
- (28) violating state or federal laws relative to drugs, including controlled substances and dangerous drugs;
- (29) being convicted of a crime that relates to the practice of vocational nursing.
 - (A) Those crimes which the Board considers to be directly related to the duties and responsibilities of a licensed vocational nurse shall include, but are not limited to:
 - (iv) offenses related to drugs/alcohol.

IV.

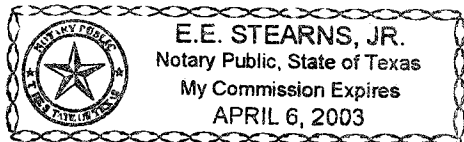
The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code, Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, warning, denial of licensure and/or imposition of administrative penalties (fines), may be recommended by the Board. Pursuant to Board Rule 239.19 the Board may assess penalties (fines), in the minimum amount of two hundred fifty dollars (\$250.00), not to exceed two thousand dollars (\$2,000.00).


COMPLAINT
RE: MARY HELEN WALDROP, LVN #144282
PAGE 4

WHEREFORE, PREMISES CONSIDERED, I, Shelly Johnson, LVN, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against MARY HELEN WALDROP, LVN #144282, in accordance with the provisions of the laws of the State of Texas.

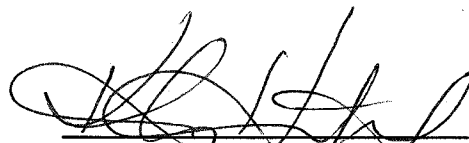

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Shelly Johnson, LVN, on this the day 12th September 2002.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires April 6, 2003

Filed with the Board of Vocational Nurse Examiners on the 12th day of September 2002.


Kirby W. Hattox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners