



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Vocational Nurse License Number 142543 §
issued to SANDRA SUE TURNAGE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SANDRA SUE TURNAGE, Vocational Nurse License Number 142543, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(2),(9),(10)&(12) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on October 27, 2012.

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 Kiamichi Area Vocational Technical School, Hugo, Oklahoma, on July 19, 1991. Respondent was licensed to practice vocational nursing in the State of Texas on June 17, 1993.
5. Respondent's nursing employment history is unknown.

6. On or about May 26, 2010, Respondent pled Guilty to DRIVING A MOTOR VEHICLE UNDER THE INFLUENCE OF ALCOHOL AND DRUGS, a misdemeanor offense committed on April 5, 2010, in the District Court, Choctaw County, Oklahoma, under Case No. CM-2010-84. 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 one (1) year, and ordered to pay a fine and court costs.
7. On or about November 28, 2010, Respondent submitted an Online Renewal Document to the Texas Board of Nursing, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that, on or about May 26, 2010, Respondent pled Guilty to DRIVING A MOTOR VEHICLE UNDER THE INFLUENCE OF ALCOHOL AND DRUGS, a misdemeanor offense committed on April 5, 2010, in the District Court, Choctaw County, Oklahoma, under Case No. CM-2010-84. 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 one (1) year, and ordered to pay a fine and court costs.

8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states that while she was driving, a lens fell out of her glasses which caused her to change lanes and be pulled over by an officer. Her vehicle was searched, and an empty beer bottle was found behind the car seat. She had taken her Xanax and Paxil prescription pills, but she has never used illegal drugs. She was also charged with unsafe lane use and transporting open container, but these charges were dropped.

9. On or about November 9, 2011, Respondent pled Guilty and was convicted of DRIVING WHILE INTOXICATED, a Class B misdemeanor offense committed on January 11, 2011, in the County Court, Franklin County, Texas, under Cause No. 12196. As a result of the conviction, Respondent was sentenced to confinement in the in the Franklin County Jail for a period of six (6) months; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year and six (6) months, and ordered to pay a fine and court costs.
10. On or about November 9, 2011, Respondent pled Guilty and was convicted of POSSESSION DANGEROUS DRUG, a Class A misdemeanor offense committed on January 11, 2011, in the County Court, Franklin County, Texas, under Cause No. 12051. As a result of the conviction, Respondent was sentenced to confinement in the in the Franklin County Jail for a period of three (3) months; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year, and ordered to pay a fine and court costs.
11. In response to Findings of Fact Numbers Nine (9) and Ten (10), Respondent states that on January 11, 2011, she worked a 16 hour shift in Paris, Texas. It was snowing and she got disoriented while driving to Oklahoma. She made a wrong turn and was stopped by an officer for driving too slow. She agreed to a drug test. She also had a Restoril 15mg tablet in the bottom of her purse. She loves taking care of people and would hate to lose her nursing license. She has not been working due to personal health concerns.
12. The Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
13. 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.
14. Formal Charges were filed on September 5, 2012.
15. Formal Charges were mailed to Respondent on September 6, 2012.
16. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
17. 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(s) of 22 TEX. ADMIN. CODE §217.12(5),(6)(I)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2),(9),(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 142543, heretofore issued to SANDRA SUE TURNAGE, 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 all applicable 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(s) 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.

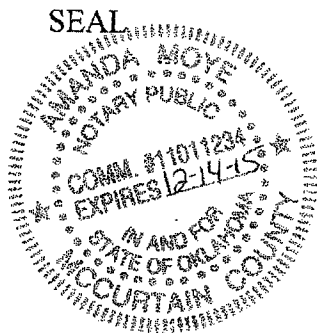
Signed this 20 day of December, 2012.

Sandra Sue Turnage
SANDRA SUE TURNAGE, RESPONDENT

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

Amanda Moye

Notary Public in and for the State of Oklahoma



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 20th day of December, 20 12, by SANDRA SUE TURNAGE, Vocational Nurse License Number 142543, and said Order is final.

Entered and effective this 9th day of January, 20 13.



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