



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 A. Plummer
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered §
Nurse License Number 530674 §
issued to MARY ROBERTS WARGO §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 530674, issued to MARY ROBERTS WARGO, 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.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Diploma in Nursing from Louisiana State University, Charity Hospital School of Nursing, New Orleans, Louisiana on December 1, 1985. Respondent was licensed to practice professional nursing in the State of Texas on March 21, 1986.
4. Respondent's nursing employment history is unknown.
5. Formal Charges were filed on February 25, 2013. A copy of the Formal Charges filed by the Texas Board of Nursing, dated February 25, 2013 are attached and incorporated by reference as a part of this Order.
6. Formal Charges were mailed to Respondent on February 26, 2013.

7. On April 5, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated April 1, 2013, is attached and incorporated herein by reference as part of this Order.
8. 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.
9. 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 cause pursuant to Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 530674, heretofore issued to MARY ROBERTS WARGO, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 530674, heretofore issued to MARY ROBERTS WARGO, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

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

Effective this 5th day of April, 2013.

TEXAS BOARD OF NURSING

By:



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

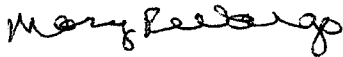
1793 Waite St. Apt A
North Bend, OR 97459
March 9, 2013

James S. Smelser
Texas Board of Nursing
333 Guadalupe Street
Suite 3-460
Austin, TX

Dear Mr. Smelser,

Pursuant to our discussion, this serves to request the Board accept surrender of my License to practice nursing in the state of Texas. My Texas RN license number is 530674. I understand I may apply for reinstatement in the future if applicable. If additional information is needed please feel free to contact me. Thank you for your guidance.

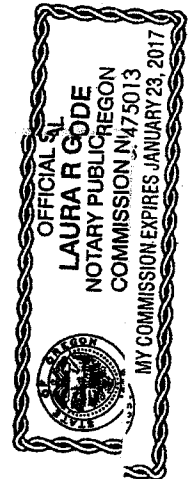
Sincerely,



Mary R. Wargo

Witnessing or Attesting a Signature

State of OREGON
County of COOS



Signed or attested before me on April 1st 2013 by Mary R Wargo



Notary Public - State of Oregon

In the Matter of Permanent § **BEFORE THE TEXAS**
Registered Nurse License §
Number 530674 §
Issued to MARY ROBERTS WARGO, §
Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MARY ROBERTS WARGO, is a Registered Nurse holding License Number 530674 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 21, 2012, Respondent received a Stipulated Order For Voluntary Surrender from the State of Oregon wherein Respondent's license to practice professional nursing in the State of Oregon was accepted for Voluntary Surrender due to Respondent's failure to complete the Health Professional Services Program (HPSP) after being diagnosed with Opioid Dependence and Alcohol Dependence in remission, failing to submit to urine drug screens, and testing positive for Tramadol. A copy of the Stipulated Order For Voluntary Surrender issued by the State of Oregon, dated March 21, 2012 is attached and incorporated by reference as part of this charge.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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 to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.texas.gov.

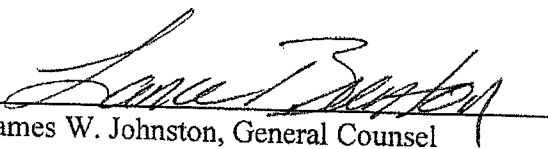
NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary

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 Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Stipulated Order For Voluntary Surrender issued by the State of Oregon, dated March 21, 2012.

Filed this 25th day of February, 2013.

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) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Stipulated Order For Voluntary Surrender issued by the State of Oregon, dated March 21, 2012.

D/2012.06.19

BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of
Mary R. Wargo, RN

) STIPULATED ORDER FOR
) VOLUNATRY SURRENDER OF
REGISTERED NURSE LICENSE

License No. 200642956RN

) Reference No. 12-01649

The Oregon State Board of Nursing (Board) is the state agency responsible for the licensure and regulation of Registered Nurses in the state of Oregon. Mary R. Wargo (Licensee) is a Registered Nurse in Oregon. Licensee obtained her Registered Nurse license in Oregon by endorsement on October 25, 2006.

Licensee came to the Board's attention when a complaint was received that Licensee had a substance abuse problem and mental health issue. Licensee agreed to enter treatment and was diagnosed with Opioid Dependence and Alcohol Dependence in remission. She also completed a mental health evaluation and received the diagnosis of Major Depressive Disorder. On October 26, 2011, the Board approved Licensee to enter the Health Professional Services Program (HPSP).

On December 13, 2011, Board staff received a substantial non-compliance report from HPSP noting that Licensee tested positive for Tramadol. Licensee was required to have a third party evaluation. According to the Licensee, she was sleep deprived due to chronic pain and inability to sleep. In the middle of the night she took Tramadol that was prescribed to her pet in order to get relief.

Since testing positive for Tramadol, Licensee was reported for failing to submit to urine drug screens on at least three occasions. According to the reports licensee is unable to get the collection site due to her physical condition.

On February 7, 2012, Board staff spoke to Licensee regarding her ability to complete two years of monitored practice which is a requirement of HPSP, and her ability to provide urine drug screens. Licensee stated that she is currently home bound due to her physical condition and pain which were exacerbated by an accident at work on December 30, 2010. She knows that she cannot practice nursing now or for the foreseeable future due to her physical condition. She is unable to get to her collection site for testing or attend her treatment groups. Licensee also explained that her financial situation is making it difficult for her to afford the urine drug screens. Therefore, she is not able to comply or complete the requirements of HPSP.

The above conduct constitutes a violation of the provisions of ORS 678.112 (6); 851-070-0080 (c) (i); and OAR 851-070-0100 (k) (m) which provides as follows:

ORS 678.112 Impaired health professional program. Persons licensed to practice nursing

Accident at work was 12/31/2010. M. Wargo

who elect not to participate in the impaired health professional program established under ORS 676.190 or who fail to comply with the terms of participation shall be reported to the Oregon State Board of Nursing for formal disciplinary action under ORS 678.111.

(6) Licensees who elect not to participate in the voluntary monitoring program or who fail to comply with the terms of participation shall be reported to the Board for formal disciplinary action under ORS 678.111.

Licensee Responsibilities

851-070-0080

(c) Abstain from mind-altering or intoxicating substances or potentially addictive drugs, unless the drug is approved by HPSP and prescribed for a documented medical condition by a person authorized by law to prescribe the drug to the licensee;

(i) Submit to random drug or alcohol testing

Substantial Non-Compliance Criteria

851-070-0100

(l) The HPSP or the monitoring entity will report substantial non-compliance with the diversion agreement within one business day after the HPSP learns of non-compliance, including but not limited to information that a licensee:

(k) Violated any provisions of OAR 851-070-0080;

(m) Failed to complete the monitored practice requirements as stated in OAR 851-070-0090.

Licensee admits to the above violations and wishes to cooperate with the Board in resolving the present disciplinary problem. She has elected to voluntarily surrender her Registered Nursing license.

THEREFORE, the following will be proposed to the Oregon State Board of Nursing and is agreed to by the licensee:

That the Voluntary Surrender of the Registered Nurse license of Mary R. Wargo be accepted. If, after a minimum of three years, she wishes to reinstate her Registered Nurse license, Ms. Wargo may appear before the Board to request reinstatement of her license as a Registered Nurse. She shall provide evidence that she is safe to practice nursing. Should the Board reinstate the Registered Nurse license of Ms. Wargo, she will be subject to whatever terms and conditions the Board may impose.

Licensee understands that this Stipulation will be submitted to the Board of Nursing for their approval and is subject to the Board's confirmation. Licensee understands that if approved, the Board will issue a Final Order adopting the Stipulation.

Licensee understands that this Stipulation will become a public record at such time as the Board issues an Order adopting it.

Licensee understands that by signing this Stipulated Agreement she waives any and all rights to an administrative hearing under ORS 183.310 to 183.550.

Licensee has read the Stipulation, understands the Stipulation completely, and freely signs the Stipulation.

Licensee agrees that she will not practice as a Registered Nurse from the date of her signature on this Stipulation.

Licensee, by her signature below, attests that she has read and understood this Stipulation for Voluntary Surrender, and declares that no promises, representations, duress, or coercion have been used to induce her to sign it.

IT IS SO AGREED:

Mary R. Wargo, RN.
Mary R. Wargo, RN

3/2/12
Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie
Kay Carnegie, RN/MS
Board President

3/21/12
Date