



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

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In the Matter of §  
Registered Nurse License Number 547122 §  
& Vocational Nurse License Number 100724 §  
issued to EVA JAN MCGUIRE §

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 547122, and Vocational Nurse License Number 100724, issued to EVA JAN MCGUIRE, 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 is currently licensed to practice professional nursing in the State of Texas. Respondent's license to practice vocational 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 Certificate in Vocational Nursing from Stephenville Hospital, Stephenville, Texas on January 28, 1983. Respondent was licensed to practice vocational nursing in the State of Texas on May 25, 1983. Respondent received an Associate Degree in Nursing from Tarrant County Jr. College, Fort Worth, Texas, on May 13, 1988. Respondent was licensed to practice professional nursing in the State of Texas on September 1, 1988.

4. Respondent's vocational and professional nursing employment history includes:

06/1984 - 09/1990	LVN	Hood General Hospital Granbury, Texas
09/1985 - 11/1987	LVN	Breed Clark and Grantham Associates Granbury, Texas
11/1986 - 05/1988	LVN	Olsten & Norell Staffing Agency Fort Worth, Texas
05/1988 - 12/1997	RN	JPS Hospital Fort Worth, Texas
12/1997 - 03/1998	unknown	
03/1998 - 02/2000	RN	All Saints Hospital Fort Worth, Texas
11/1999 - 02/2006	RN	JPS Health Network Fort Worth, Texas
10/2005 - present	RN	Sterling Healthcare Initiatives unknown
02/2007 - 03/2009	RN	Medhost Inc. unknown
07/2009 - 12/2012	RN	Texas Health Resources Fort Worth, Texas
02/2013 - 04/2013	RN	Nightingale Nurses unknown
04/2013 - present	unknown	

5. On or about December 16, 2012, while employed as a Registered Nurse with Texas Health Harris Methodist Hospital, Fort Worth, Texas, and assigned to the Emergency Department, Respondent lacked fitness to practice nursing in that she exhibited impaired behavior while on duty that included: being distant, zoning out and not paying attention. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' 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.

6. On or about December 16, 2012, while employed as a Registered Nurse with Texas Health Harris Methodist Hospital, Fort Worth, Texas, and assigned to the Emergency Department, Respondent engaged in the intemperate and/or unlawful use of Cannabis and Opiates in that she produced a specimen for a for cause drug screen, which resulted positive for Cannabis and Opiates. Unlawful possession of Cannabis and Opiates is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cannabis and Opiates 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.
7. On or about December 16, 2012, while employed as a Registered Nurse with Texas Health Harris Methodist Hospital, Fort Worth, Texas, and assigned to the Emergency Department, Respondent misappropriated Dilaudid and Xanax belonging to the facility and patients thereof or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
8. On May 24, 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 May 22, 2013, is attached and incorporated herein by reference as part of this Order.
9. 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.
10. 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 22 TEX. ADMIN. CODE §217.12(4), (5), (6)(G), (10)(A), (10)(D) & (11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9), (10) & (12), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 547122, and Vocational Nurse License Number 100724, heretofore issued to EVA JAN MCGUIRE, 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, the Board may impose conditions for reinstatement of licensure.
7. 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.

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ORDER

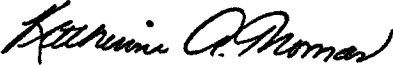
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 547122, and Vocational Nurse License Number 100724, heretofore issued to EVA JAN MCGUIRE, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

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

Effective this 24th day of May, 2013.

TEXAS BOARD OF NURSING

By:   
\_\_\_\_\_  
Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board

Texas Board of Nurse Examiner  
333 Guadalupe Street Suite 3-460  
Austin, Texas 78701

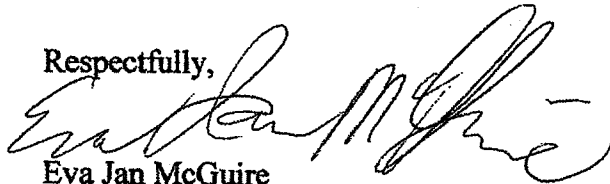
Eva Jan McGuire  
702 Ridgeway Road  
Joshua, Texas 76058

817-366-9354  
817-426-2226

Attention: Lakeisha Artley

I, Eva Jan McGuire, am voluntarily surrendering my Registered Nursing license number 547122. I understand it will be at least one year before I can petition for my reinstatement and during that time I must prove 12 continuing months of sobriety. I have contacted Diane Burrell to work out chain of custody screening to document my sobriety. I appreciate all your time and attention in this matter.

Respectfully,



Eva Jan McGuire  
May 22, 2013

STATE OF TEXAS  
COUNTY OF TARRANT

Before me Debbie Davison Notary Public for the State of Texas on  
this day personally appeared Eva Jan McGuire, known to me through  
State I.D. (description of identity card or other document.) to be the person  
whose name is subscribed to the foregoing instrument and acknowledged to me that he  
executed the same for the purposes and considerations expressed.

"Given under my hand and seal this 22 day of May 2013"

Debbie Davison  
Notary Public

Eva Jan McGuire  
Signer

