



Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 806300 §
issued to LAURIE ANN BAUER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LAURIE ANN BAUER, Registered Nurse License Number 806300, 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)(1)&(10), 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 May 6, 2013, subject to ratification by the Board.

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 professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from Memorial Hospital School of Nursing, South bend, Indiana on December 1, 1986. Respondent was licensed to practice professional nursing in the State of Texas on July 26, 2011.
5. Respondent's professional nursing employment history is unknown.
6. On or about January 17, 2013, Respondent was issued the sanction of a Suspend/Probate Agreed Order by the Texas Board of Nursing. A copy of the January 17, 2013, Agreed Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as part of this Order.

7. On or about April 18, 2013 and April 24, 2013, Respondent failed to comply with the Agreed Order issued to her by the Texas Board of Nursing on January 17, 2013. Non-compliance is the result of Respondent's failure to abstain from the consumption of alcohol in that she produced a specimen for a random drug screen that resulted positive for Ethyl Glucuronide (EtG) and Ethyl Sulfate (EtS), which are both metabolites of Ethanol. Stipulation Number Thirteen (13) of the Agreed Order, dated January 17, 2013, states:

“(13) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose.”

8. Respondent's last known date of sobriety is April 24, 2013 as indicated in Finding of Fact Number Seven (7).
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 to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 806300, heretofore issued to LAURIE ANN BAUER, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 806300, previously issued to LAURIE ANN BAUER, to practice nursing in Texas is/are hereby SUSPENDED and said suspension is ENFORCED until Respondent completes a treatment program approved by the Board, provides

documentation of successful completion, and has obtained twelve (12) consecutive months of sobriety. Any relapse prior to the completion of the twelve (12) consecutive months of sobriety will result in an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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 the Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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, upon verification of successful completion of the approved treatment and twelve (12) consecutive months of sobriety as set out in this Order, the Suspension will be STAYED, and RESPONDENT will be placed on PROBATION for three (3) years with the following agreed terms of probation:

(1) RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§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.

(2) RESPONDENT SHALL pay all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

(4) RESPONDENT SHALL, within one (1) year of the suspension being stayed, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board*

website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

(5) RESPONDENT SHALL pay a monetary fine in the amount of seven hundred fifty dollars (750.00). RESPONDENT SHALL pay this fine within forty-five (45) days of the suspension being stayed. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(6) RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(7) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future

employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) For the first year of employment as a nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(10) RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts,

work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned for one (1) year of employment as a nurse.

(11) RESPONDENT SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(12) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a nurse.

(13) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for three (3) years of employment as a nurse.

(14) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an**

evaluation by a Board approved physician specializing in Pain Management or Psychiatry.

The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.

(15) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject the nurse to 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. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

(16) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

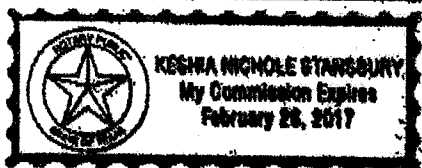
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 8th day of May, 2013.
Laurie A. Bauer
LAURIE ANN BAUER, Respondent

Sworn to and subscribed before me this 8th day of May, 2013.

SEAL

Keshia Nicole Stangor
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8th day of May, 2013, by LAURIE ANN BAUER, Registered Nurse License Number 806300, and said Order is final.

Effective this 11th day of June, 2013.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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



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 Registered Nurse § AGREED
License Number 806300 §
issued to LAURIE ANN BAUER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LAURIE ANN BAUER, Registered Nurse License Number 806300, 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),(8)&(10) and 301.453, Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 1, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, subject to ratification by the Board.

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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from Memorial Hospital School of Nursing, South Bend, Indiana on December 1, 1986. Respondent was licensed to practice professional nursing in the State of Texas on July 26, 2011.
5. Respondent's complete professional nursing employment history is unknown.

6. On or about June 5, 2011, Respondent submitted an Application for Endorsement as a Registered Nurse to the Texas Board of Nursing wherein she provided false, deceptive, and/or misleading information, in that Respondent answered "no" to the following question: "Within the past five (5) years have you been addicted to and/or treated for the use of alcohol or any other drug?"

On or about August 23, 2006, Respondent received an assessment at Clarian Behavioral Health by Mike Denton, MS, CADAC and Lori Beah, LMHC, which indicated alcohol dependence, opioid and anxiolytic abuse, and major depressive disorder.

On or about September 25, 2006, Respondent returned Respondent's executed Recovery Monitoring Agreement to the Indiana State Nurses Assistance Program (ISNAP) and entered into a thirty-six (36) month recovery program.

On or about March 7, 2011, Respondent's contract with (ISNAP) was terminated due to non-compliance. Respondent's conduct was deceiving to the Board and may have affected the Board's decision to issue a license.

7. On or about May 4, 2012, while holding a license as a Registered Nurse in the State of Texas, Respondent received a Findings of Fact, Conclusions of Law, Ultimate Conclusions of Law and Order from the Indiana State Board of Nursing wherein Respondent's license to practice professional nursing in the State of Indiana was placed on Indefinite Suspension for failure to complete the Indiana State Nurses Assistance Program (ISNAP). A copy of the Findings of Fact, Conclusions of Law, Ultimate Conclusions of Law and Order from the Indiana State Board of Nursing dated May 12, 2012 is attached and incorporated as a part of this Order.
8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states she apologizes for her answer to the question and states when she answered it, she thought she had received the assessment and entered ISNAP earlier in 2006, which was outside the five years asked for on the application. In addition, Respondent states she was not employed during her participation in ISNAP and could not afford the UDS required for the program. Respondent states that her life and attitude changed when she moved to Texas, and she is now employed and attempting to rectify the Suspension on her Indiana license.

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) 22 TEX. ADMIN. CODE §217.12(6)(H)&(I).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2),(8)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 806300, heretofore issued to LAURIE ANN BAUER, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 806300, previously issued to LAURIE ANN BAUER, to practice nursing in Texas is/are hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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 the Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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.

(1) RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§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.

(2) RESPONDENT SHALL, within one (1) year of the suspension being stayed, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the

Board may have for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

(4) RESPONDENT SHALL pay a monitoring fee in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fee within forty-five (45) days of the suspension being stayed. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the probation conditions on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the

probation conditions on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The

supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned for one (1) year of employment as a nurse with the exception of Respondent's current employment as a Labor and Delivery RN with Memorial Hermann Katy Hospital, Katy, Texas. Should Respondent's current employment as a Labor and Delivery RN with Memorial Hermann Katy Hospital, Katy, Texas cease or change, night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned will be prohibited.

(10) RESPONDENT SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units with the exception of Respondent's current employment as a Labor and Delivery RN with Memorial Hermann Katy Hospital, Katy, Texas. Should Respondent's current employment as a Labor and Delivery RN with Memorial Hermann Katy Hospital, Katy, Texas cease or change, employment as a nurse in critical care areas to include, but not limited to,

intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units will be prohibited.

(11) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates for one (1) year of employment as a nurse with the exception of Respondent's current employment as a Labor and Delivery RN with Memorial Hermann Katy Hospital, Katy, Texas. Should Respondent's current employment as a Labor and Delivery RN with Memorial Hermann Katy Hospital, Katy, Texas cease or change, Respondent may not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates.

(12) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) year(s) of employment as a nurse.

(13) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a

pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

(14) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or failure

to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to 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.

(15) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

RESPONDENT'S CERTIFICATION

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

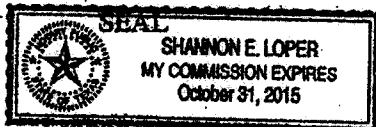
I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 8th day of December, 20 12.

Laurie Ann Bauer

LAURIE ANN BAUER, Respondent

Sworn to and subscribed before me this 8 day of December, 20 12.



Shannon Loper

Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn R. Mackay

TARALYNN MACKAY, Attorney for Respondent

Signed this 13th day of December, 20 12

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8th day of December, 2012, by LAURIE ANN BAUER, Registered Nurse License Number 806300, and said Order is final.

Effective this 17th day of January, 2013.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2011 NB 335

IN THE MATTER OF THE LICENSE OF:)
LAURIE ANN BAUER, R.N.,)
LICENSE NO: 28102555A)

FILED

MAY 04 2012

Indiana Professional
Licensing Agency

**FINDINGS OF FACT, CONCLUSIONS OF LAW, ULTIMATE CONCLUSIONS OF
LAW AND ORDER**

The Indiana State Board of Nursing ("Board") held an administrative hearing on March 21, 2012 in the Quigley Conference Room of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204 concerning an Administrative Complaint issued against the nursing license of Laurie Ann Bauer, R.N. ("Respondent") on October 4, 2011.

Deputy Attorney General Mark E. Mader represented the Petitioner. Respondent failed to appear in person or by counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 5-0-0, found Respondent to be in DEFAULT. The Board then held further proceedings in Respondent's absence and after taking official notice of its file in this matter and the evidence presented by Petitioner, by a vote of 5-0-0, issued the following:

FINDINGS OF FACT

1. Respondent is a licensed Registered Nurse, ("R.N.") in the State of Indiana having been issued license number 28102555A by the Indiana State Board of Nursing ("Board") on June 7, 1998. Respondent's address, as listed with the Board, is 24890 Stanton Road, North Liberty, Indiana 46554.
2. On August 21, 2006, Respondent called to initiate the intake process with the Indiana State Nurses Assistance Program ("ISNAP"). She was referred by Robin Rossman, her

Employee Assistance Program counselor at Clarian Health, Methodist Hospital. Respondent was referred to Mike Denton, Clarian Behavioral Health Services for an assessment.

3. On August 23, 2006, Respondent was assessed at Clarian Behavioral Health by Mike Denton, MS, CADAC and Lori Beah, LMHC with alcohol dependence, opioid and anxiolytic abuse, and a major depressive disorder.

4. On September 25, 2006, Respondent returned her executed ISNAP Recovery Monitoring Agreement ("RMA").

5. The duration of Respondent's RMA was thirty-six (36) months.

6. Respondent's ISNAP records reveal the following deficiencies:

- a. Fifteen (15) missed Urine Drug Screens;
- b. Eleven (11) partial non-compliant Quarterly Compliance Reports;
- c. One (1) significant non-compliant Quarterly Compliance Report;
- d. Eleven (11) UDS's with dilute Creatinine levels;
- e. During the course of her RMA presented ISNAP with prescriptions for Darvocet (1/11/2007), Vicodin (3/14/2008), Tylenol #3 (October 20, 2008), Tramadol twice (2/6/2009) (9/24/2010), Codeine (1/30/2009), Loratab (2/18/2009), and Hydrocodone twice (9/24/2010) (11/8/2010);
- f. Respondent's therapist informed ISNAP that she had four (4) prescriptions of hydrocodone filled since December 2007 and two (2) for codeine since May 2008. Respondent had informed ISNAP of the March 8, 2008, hydrocodone prescription and the June 10, 2008 codeine prescription.
- g. One termination from work in September 2008;
- h. One (1) relapse(s) during her RMA;
- i. Respondent's RMA was extended for twenty-one (21) total months due to her non-compliance;
- j. Respondent was discharged from her facilitated nurse support group (NSG) for poor attendance; and
- k. Respondent was twice referred to Intensive Outpatient Programs for further treatment.

7. On March 7, 2011, ISNAP terminated Respondent's case for non-compliance and referred her case closure to Petitioner. ISNAP Closure Notes indicate that based on her pattern of relapse, not doing her UDS's as scheduled and non-compliance while in monitoring, it could

not determine whether Respondent represented a clear and immediate danger to the public health and safety if the Respondent was allowed to continue to practice nursing.

8. ISNAP is the monitoring system implemented by the Board to monitor impaired nurses in order to assure the public that nurses assessed with alcohol or drug addictions are not a threat to the public health and safety if the Board permits them to continue to practice nursing.

9. Respondent has been assessed as an impaired nurse. Without a monitoring system in place, an impaired nurse is a threat to the public health and safety if permitted to practice nursing.

10. Petitioner filed an Administrative Complaint against Respondent's nursing license in this matter on or about October 4, 2011.

11. On December 15, 2011, IPLA sent notice to Respondent, by certified and regular mail to her address on file with IPLA of the date, time, and place of the administrative hearing scheduled for January 19, 2012.

12. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided adequate notice of the disciplinary hearing and failed to appear for the hearing scheduled on January 19, 2012.

13. On January 19, 2012, the Board voted 5-0-0 to issue a Notice of Proposed Default. On February 8, 2012, the Notice of Proposed Default Order was mailed by certified and regular mail to Respondent at her last known address. The Notice of Proposed Default Order directed Respondent to file a written motion within seven (7) days requesting the Board not issue a default order in this case and stating the reasons relied on for that request. Respondent failed to respond to the Notice of Proposed Default Order within seven (7) days as required by Ind. Code § 4-21.5-3-24.

CONCLUSIONS OF LAW

1. Respondent's actions constitute a violation of Indiana Code § 25-1-9-4(a)(4)(D) in that she has continued to practice although the Respondent has become unfit to practice due to an addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely.

2. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(4)(B) in that she has continued to practice although the Respondent has become unfit to practice due to failure to keep abreast of current professional theory or practice.

ULTIMATE FINDINGS OF FACT

Respondent's failure to comply with the above referenced standards is cause for disciplinary sanctions which could include censure, a letter of reprimand, a fine up to the amount of \$1,000.00 per violation, probation, suspension, or a revocation of license as detailed at Ind. Code § 25-1-9-9.

ORDER

1. The Board hereby places Respondent's nursing license on **INDEFINITE SUSPENSION**. Respondent shall not petition for reinstatement for a minimum of **ONE YEAR** from the date of the final order.

2. Prior to petitioning for reinstatement, Respondent shall enroll in ISNAP and execute a recovery monitoring agreement ("RMA"). Respondent must have **ONE YEAR of FULL, COMPLETE, CONTINUOUS COMPLIANCE** with her ISNAP RMA prior to petitioning for reinstatement.

3. Respondent shall keep the Board informed of her residential address and telephone number at all times.

4. Respondent shall cause her addictionist or other ISNAP approved practitioner to provide a quarterly INSPECT report to ISNAP for the duration of her RMA.

5. Respondent shall continue her treatment program with her therapist.

6. Respondent shall notify the Board of any relapse within forty-eight (48) hours.

7. Respondent shall pay a FINE in the amount of TWO HUNDRED FIFTY DOLLARS (\$250.00) payable within six (6) months of her reinstatement to:

Indiana Professional Licensing Agency
Attn: Nursing, Group 2
402 West Washington Street, Room W072
Indianapolis, IN 46204

8. Respondent must complete TWENTY-FOUR (24) CEU'S NURSING EDUCATION HOURS ("CEU's") with SIX (6) CEU'S CEU's in ETHICS and PROFESSIONALISM, SIX (6) CEU'S CEU's in MEDICATION MANANAGEMENT, SIX (6) CEU'S CEU's in CHARTING and RECORDS DOCUMENTATION, and SIX (6) CEU'S CEU's in PATIENT ASSESSMENT.

9. Pursuant to Ind. Code § 4-6-14-10(b), Respondent shall pay a FEE of FIVE DOLLARS (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Indiana Office of the Attorney General
ATTN: Katherine Thorpe
302 W. Washington St., 5th Floor
Indianapolis, IN 46204

10. Respondent shall pay costs to the Indiana Professional Licensing Agency in the amount of Ninety Six Dollars and Fifty Four Cents (\$96.54) payable within sixty (60) days of this Order to:


Indiana Professional Licensing Agency
Attn: Nursing, Group 2
402 West Washington Street, Room W072
Indianapolis, IN 46204

11. The Board shall have continuing jurisdiction.
12. Respondent's violation of this Final Order or any non-compliance with the statutes or regulations regarding the practice of nursing may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

SO ORDERED, this 04 day of May, 2012.

INDIANA STATE BOARD OF NURSING

By:


Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

Copies:

Laurie Ann Bauer
24890 North Stanton Road
North Liberty, IN 46554
CERTIFIED MAIL #91 7190 0005 2720 0019 0342
RETURN RECEIPT REQUESTED

Mark E. Mader
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, Indiana 46204-2770