



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 152570 §
issued to JULIE ANN CASTILLO § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that JULIE ANN CASTILLO, hereinafter referred to as Respondent, Vocational Nurse License Number 152570, may be subject to discipline pursuant to Sections 301.452(b)(1)&(10) and 301.453, Texas Occupations Code.

An informal conference was held on Tuesday, February 19, 2013, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, FAAN, Executive Director; Kristin Benton, MSN, RN, Director of Nursing; John F. Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Elise Moore, Investigator.

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.
2. Respondent waived representation by counsel, notice and hearing, and consented 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 Temple Junior College, Temple, Texas, on May 10, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on June 28, 1995.

5. Respondent's vocational nursing employment history includes:

6/95-8/97	Unknown	
9/97-10/02	LVN	Scott & White Temple, Texas
6/98-6/05	LVN	Kings Daughters Clinic Temple, Texas
7/05-11/05	Unknown	
12/05-1/07	LVN	Wellington Retirement and Rehabilitation Temple, Texas
2/07-12/07	Unknown	
1/08-8/08	LVN	Ridgecrest Retirement and Rehabilitation Waco, Texas
9/08-10/08	Unknown	
11/08-1/09	LVN	Medical Staffing Network, Inc. Austin, Texas
2/09-5/09	Unknown	
6/09-9/11	Lead CNA/CPR Instructor	McLennan Community College Waco, Texas
10/11-Present	Unknown	

6. On or about December 27, 2011, Responded was issued an Agreed Order by the Texas Board of Nursing which required her to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated December 27, 2011, is attached and incorporated, by reference, as part of this Order.

7. On or about June 7, 2012, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on December 27, 2011. Non-compliance is the result of her failure to comply with Stipulation Number Three (3) of the Order which reads, in pertinent part: "RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term."

On or about June 7, 2012, Respondent was dismissed from TPAPN and referred to the Texas Board of Nursing.

8. In response to Finding of Fact Number Seven (7), Respondent states she has not been able to work since September 2011. Respondent states she attempted to follow thru with TPAPN and board orders, but she exhausted all the funds that were available and was not able to pay \$350 to TPAPN.
9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.
10. 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.
11. 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(9)&(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 Vocational Nurse License Number 152570, heretofore issued to JULIE ANN CASTILLO, 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 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

IT IS THEREFORE AGREED and ORDERED, that the VOLUNTARY SURRENDER of Vocational Nurse License Number 152570, heretofore issued to JULIE ANN CASTILLO to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing.

In connection with this acceptance, the Board imposes the following conditions:

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

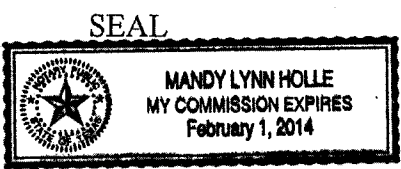
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 26th day of July, 2013.

Julie Castillo
JULIE ANN CASTILLO, Respondent

Sworn to and subscribed before me this 26th day of July, 2013.

Mandy Lynn Holle
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby accept the voluntary surrender of nursing Vocational Nurse License Number 152570, previously issued to JULIE ANN CASTILLO.

Effective this 2nd day of August, 2013.



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 Vocational Nurse § AGREED
License Number 152570 §
issued to JULIE ANN CASTILLO § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JULIE ANN CASTILLO, Vocational Nurse License Number 152570, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(12), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 31, 2011, by Katherine A. Thomas, MN, RN, Executive Director.

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 Temple Junior College, Temple, Texas, on May 10, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on June 28, 1995.
5. Respondent's vocational nursing employment history includes:

6/95-8/97 Unknown

Respondent's vocational nursing employment history continued:

9/97-10/02	*	LVN	Scott & White Temple, Texas
6/98-6/05		LVN	Kings Daughters Clinic Temple, Texas
7/05-11/05	*	Unknown	
12/05-1/07		LVN	Wellington Retirement and Rehabilitation Temple, Texas
2/07-12/07		Unknown	
1/08-8/08		LVN	Ridgecrest Retirement and Rehabilitation Waco, Texas
9/08-10/08		Unknown	
11/08-1/09		LVN	Medical Staffing Network, Inc. Austin, Texas
2/09-5/09		Unknown	
6/09-Present		Lead CNA/CPR Instructor	McLennan Community College Waco, Texas

6. At the time of the incident, in Finding of Fact Number Seven (7), Respondent was employed as a vocational nurse with Medical Staffing Network, Inc., Austin, Texas, and had been in this position for approximately three (3) months.
7. On or about January 3, 2009, while employed with Medical Staffing Network, Inc., Austin, Texas, and on assignment with Austin Lakes Hospital, Austin, Texas, Respondent lacked fitness to practice vocational nursing in that she exhibited impaired behavior while on duty including but not limited to smelling of alcohol, carrying around a "big gulp" that smelled of alcohol, slurring speech, and forgetting tasks she had done. 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.

8. On July 15, 2011, Respondent underwent a Chemical Dependency evaluation by Emily Aline Fallis, Ph.D. where she determined that given the strong evidence of alcohol abuse while on duty in concert with her denial of this behavior, Respondent is at risk for similar incidents in the future without intervention. Dr. Fallis feels Respondent needs substance abuse treatment and support groups.
9. On August 10, 2011, Respondent submitted letters from Advanced Pain Care stating she is currently being monitored for chronic abdominal pain, low back pain, lumbar spondylosis, lumbar radiculopathy, lumbar disc disorder and status post left hip fracture.
10. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
11. 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.
12. Respondent's conduct described in Finding of Fact Number Seven (7) resulted from Respondent's dependency on chemicals.
13. 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 above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4)&(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 152570, heretofore issued to JULIE ANN CASTILLO, 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 her 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 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 8th day of December, 2011.

Julie Ann Castillo
JULIE ANN CASTILLO, Respondent

Sworn to and subscribed before me this 8th day of December, 2011.

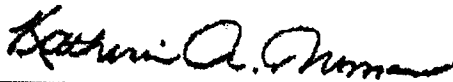
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Mandy Lynn Holle
Notary Public in and for the State of TEXAS

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 8th day of December, 2011, by JULIE ANN CASTILLO, Vocational Nurse License Number 152570, and said Order is final.

Entered and effective this 27th day of December, 2011.



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

