



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.
William A. Plummer
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered §
Nurse License Number 511195 §
issued to JERRY WAYNE LAZERUS §

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 511195, issued to JERRY WAYNE LAZERUS, 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 in inactive status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Bachelors Degree in Nursing from Mount Mary College, Yankton, South Dakota, on January 1, 1981. Respondent was licensed to practice professional nursing in the State of Texas on October 25, 1983.
4. Respondent's complete nursing employment history is unknown.
6. Formal Charges were filed on July 8, 2013. A copy of the Formal Charges issued by the Texas Board of Nursing, dated July 8, 2013, is attached and incorporated by reference as part of this Order.
7. Formal Charges were mailed to Respondent on July 9, 2013.

8. On July 18, 2013, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated July 18, 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 cause pursuant to TEX. REV. CIV. STAT. ART. 4525(b)(7) (Rev. effective 9/93), TEX. REV. CIV. STAT. ART. 4525(b)(7) (Rev. effective 9/97) and Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 511195, heretofore issued to JERRY WAYNE LAZERUS, 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 301.453(d), 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

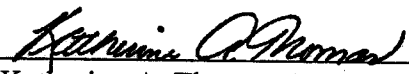
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 511195, heretofore issued to JERRY WAYNE LAZERUS, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, 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 himself 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 18th day of July, 2013.

TEXAS BOARD OF NURSING

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

From: Jerry W. Lazerus, SSN: Last four is 6695
Sent: Thursday, July 18, 2013, 09:30
To: James S. Smelser, Investigator
Cc: Jerry Lazerus
Subject: Voluntary Surrender of Licenses

I ask that you accept my voluntary surrender of my Texas RN and CRNA licenses.

I have no intention in the near or distant future to practice nursing or anesthesia in the state of Texas.

Due to a progressive chronic medical condition I surrender my licenses.

Jerry W. Lazerus

07/18/2013

09:20

In the Matter of Permanent § BEFORE THE TEXAS
Registered Nurse License §
Number 511195 Issued to §
JERRY WAYNE LAZERUS, §
Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JERRY WAYNE LAZERUS, is a Registered Nurse holding License Number 511195 which is in Inactive 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 May 31, 1995, Respondent was issued a Letter of Reprimand by the Arkansas State Board of Nursing wherein Respondent's license to practice as a Certified Registered Nurse Anaesthetist and as a professional nurse in the State of Arkansas was disciplined for failure to document wastage of controlled substances. A copy of the Letter of Reprimand issued by the Arkansas State Board of Nursing, dated May 31, 1995, is attached and incorporated by reference as part of this charge.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4525(b)(7) (Rev. effective 9/93).

CHARGE II.

On or about November 18, 1998, Respondent was issued an Order by the Arkansas State Board of Nursing wherein Respondent's license to practice as a Certified Registered Nurse Anesthetist and as a professional nurse in the State of Arkansas was placed on probation for five (5) years with terms and conditions to include treatment program and urine drug screens. On or about November 19, 2003, Respondent completed his probation with the Arkansas State Board of Nursing. A copy of the Order issued by the Arkansas State Board of Nursing, dated November 18, 1998 is attached and incorporated by reference as part of this charge.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4525(b)(7) (Rev. effective 9/97).

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CHARGE III.

On or about October 23, 2012, Respondent was issued an Order for Voluntary Surrender by the Arkansas State Board of Nursing wherein Respondent's license to practice as a Certified Registered Nurse Anesthetist and as a professional nurse in the State of Arkansas was accepted for surrender in lieu of a Board hearing. A copy of the Order for Voluntary Surrender issued by the Arkansas State Board of Nursing, dated October 23, 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, 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.

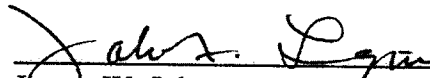
NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Letter of Reprimand issued by the Arkansas State Board of Nursing, dated May 31, 1995, Order issued by the Arkansas State Board of Nursing, dated November 18, 1998, and Order for Voluntary Surrender issued by the Arkansas State Board of Nursing, dated October 23, 2012.

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Filed this 8th day of July, 20 13.

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: Letter of Reprimand issued by the Arkansas State Board of Nursing, dated May 31, 1995, Order issued by the Arkansas State Board of Nursing, dated November 18, 1998, and Order for Voluntary Surrender issued by the Arkansas State Board of Nursing, dated October 23, 2012.

D/2012.06.19



Arkansas State Board of Nursing

UNIVERSITY TOWER BUILDING, SUITE 800
1123 SOUTH UNIVERSITY AVENUE
LITTLE ROCK, ARKANSAS 72204

TELEPHONE
(501) 636-2700

May 31, 1995

Mr. Jerry Wayne Lazerus
P. O. Box 117
Arkadelphia, AR 71923

RE: CRNA License #C-450
RN License #28178

**LETTER OF REPRIMAND
HAND DELIVERED**

A review of an investigative report surrounding an incident regarding your nursing practice at Baptist Medical Center, Arkadelphia, AR, has been completed. Following an interview with you and your legal counsel, Scott Trotter, on May 31, 1995, this letter of reprimand is being issued to you regarding actions of unprofessional conduct.

1. Knowingly failing to accurately document the wastage of controlled substances (Fentanyl and Valium) on February 28, 1995.
2. Failing to conform to the Universal Precautions for preventing the transmission of Human Immunodeficiency Virus (HIV) and Hepatitis B Virus, by improper disposal of a used syringe on February 28, 1995.

Please review the **FOUNDATIONS FOR DISCIPLINE**. As a Certified Registered Nurse Anesthetist/Licensed Registered Nurse, you are the responsible party pertaining to your accountability for your nursing practice.

This letter will become part of your file in the office of the Arkansas State Board of Nursing.

Respectfully submitted,

Phyllis DeClerk, RN

Phyllis DeClerk, RN
Director of Nursing Practice

BEFORE THE ARKANSAS STATE BOARD OF NURSING

ASBN

28 NOV - 6 PM 12:18

IN THE MATTER OF:

JERRY WAYNE LAZERUS

RN 28178/CRNA 450

CONSENT AGREEMENT

A complaint charging Jerry Wayne Lazerus (hereinafter referred to as "Respondent") with violations of the Arkansas Nurse Practice Act has been received by the Arkansas State Board of Nursing (hereinafter referred to as "the Board"). In the interest of a prompt and speedy settlement of the above-captioned matter consistent with the public interest, statutory

requirements and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

I. Findings of Fact

1. Respondent is the holder of Arkansas RN License No. 28178 and CRNA License No. 450.
2. On or about March 27, 1997, Respondent was involved in a one-vehicle accident in Benton, Arkansas. At the time of the accident, a partially filled bottle of injectable Diazepam, a used hypodermic syringe, a needle in cap with fluid in needle and four (4) Lortab 5 were discovered in the Respondent's vehicle.
3. On February 17, 1998, Respondent was found guilty of "Refused Breathalyzer Test and Refusal to Submit to Test." (See Ark. Code Ann. §5-65-205 - Refusal to Submit to a Chemical Analysis.) Respondent's driver's license was suspended for six (6) months and he was

IN THE MATTER OF:

JERRY WAYNE LAZERUS

RN 28178/CRNA 450

ordered to pay court costs of \$75.00.

4. Respondent failed to produce prescriptions or physician's statements accounting for the drugs in question.

5. Respondent admitted to having a substance abuse problem that began in early 1997. His drugs of choice were marijuana and alcohol.

6. Respondent voluntarily entered a treatment program for substance abuse and stated he had not engaged in such substance abuse since entering the treatment program.

7. Respondent has had previous disciplinary action taken against his license.

Specifically, he received a Letter of Reprimand on May 31, 1995.

II. Conclusions of Law

1. Pursuant to Ark. Code Ann. §17-87-203 and §17-87-309, the Board has subject matter and personal jurisdiction in this matter.

2. The conduct described in the Findings of Fact constitutes a violation of Ark. Code Ann. §17-87-309(a)(4), (a)(6) and (a)(9).

3. The conduct described in the Findings of Fact constitutes sufficient cause pursuant to Ark. Code Ann. §17-87-309 to suspend or otherwise discipline a licensee who possesses a nursing license in the State of Arkansas.

III. Order

1. Respondent admits the Board's Findings of Fact and Conclusions of Law.

2. In lieu of a formal hearing on these issues, Respondent agrees to issuance of the attached Order and waives all rights to a hearing, appeal or judicial review relating to the Order.

IN THE MATTER OF:

JERRY WAYNE LAZERUS

RN 28178/CRNA 450

3. Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

4. Respondent understands that those admissions are conclusive evidence of a prior violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

5. Respondent is represented by Mr. Scott Trotter, Attorney at Law.

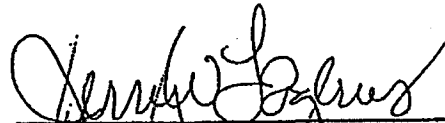
6. Respondent understands as a result of entering into this Consent Agreement that the terms of this agreement become public record and shall be reported to the National Council of State Boards of Nursing Disciplinary Data Bank.

7. Respondent understands that this Consent Agreement is effective upon its acceptance by the Board.

IN THE MATTER OF:

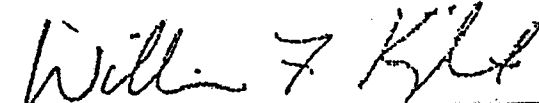
JERRY WAYNE LAZERUS ..


RN 28178/CRNA 450


RESPONDENT

Dated November 3 1998

ARKANSAS STATE BOARD OF NURSING

BY: 
WILLIAM F. KNIGHT, AR Bar No. 85086
General Counsel


PHYLLIS DeCLERK, RN
Director of Nursing Practice
University Tower Building, Suite 800
1123 South University Avenue
Little Rock, Arkansas 72204
(501) 686-2700

BEFORE THE ARKANSAS STATE BOARD OF NURSING

IN THE MATTER OF:

JERRY WAYNE LAZERUS

RN 28178/CRNA 450

ORDER

In view of the above Findings of Fact, Conclusions of Law, and the Consent of the Respondent, the Board hereby issues the following Order:

1. Respondent consents to the terms and conditions of the Order and waiver of a public hearing is accepted.
2. Respondent's licenses as an RN and CRNA are placed on probation for five (5) years. Probation is to commence on the effective date of this Order and is subject to the following conditions:
 - a. Within three (3) days upon receipt of this Consent Order, Respondent must send his licenses to the Board so that the licenses can be marked "probation."
 - b. Respondent shall notify each present and future employer in professional nursing of this Order of the Board and the probation conditions on Respondent's license and present to every employer in professional nursing a copy of the Order.
 - c. Respondent, if employed as a nurse, must practice under an employer-impaired nurse contract. A copy of the employer-impaired nurse contract and a quarterly report shall be submitted by the employer to the Board.
 - d. Respondent must immediately notify the Board in writing of any change, even a temporary one, in name, address, or employer.

IN THE MATTER OF:

JERRY WAYNE LAZERUS

RN 28178/CRNA 450

e. Respondent shall attend AA, NA, or the treatment program of choice and must submit quarterly reports to 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, the purpose of the meeting, and the signature or signed initials of the chairperson of each group attended by Respondent.

f. Respondent must submit to random urine drug screens. The urine drug screens must meet the criteria established by the Board and be conducted through a Board-approved drug screen monitoring program and laboratory. Contact must be made with a Board-approved drug screen monitoring program within five (5) business days of receipt of the Board Order. (See Attachment No. 1)

g. Respondent must abstain from the use of controlled or abuse potential substances, except as prescribed by a licensed practitioner from whom he seeks medical attention.

Respondent shall inform all licensed practitioners who authorize prescriptions of controlled or abuse potential substances for him of his dependency on controlled or abuse potential substances, and Respondent shall cause all such licensed practitioners 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 practitioners within ten (10) days of the date of the prescription.

h. Respondent is responsible for submitting a personal report to accompany required data to the Board on a quarterly basis. Said personal report shall consist of a cover letter to be

IN THE MATTER OF:

JERRY WAYNE LAZERUS

RN 28178/CRNA 450

submitted each quarter setting out any and all activities and experiences which have contributed to his personal recovery.

i. Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.

j. All costs involved in complying with the Order shall be borne by the Respondent.

k. If Respondent fails to comply with the terms of this Order, after giving Respondent notice and the opportunity to be heard, the Board may proceed with further disciplinary action.

l. Upon termination of the probationary period and upon request of the Respondent, the Board shall reissue the Respondent's license absent the mark "Probation".

3. In addition to the probation imposed above, Respondent shall pay a fine of \$2,000.00 pursuant to Ark. Code Ann. §17-87-104(b)(1). Such fine will be payable within fifteen (15) days of receipt of this Order.

ARKANSAS STATE BOARD OF NURSING

By: Karen A. Beckman, RN, President

Carolyn Saulsbury, RN, President

for Carolyn Saulsbury

Dated: 11-18-98



ARKANSAS STATE BOARD OF NURSING

1123 S. University Avenue, Suite 800, University Tower Building, Little Rock, AR 72204
Phone: (501) 686-2700 Fax: (501) 686-2714 www.arsbn.org

November 19, 2003

Faith Fields
Executive Director

Fred Knight
General Counsel

Board Members:

Dan West
President
Conway

Karen Buchanan
Vice-President
Dover

Michael Canney
Treasurer
Hot Springs Village

Pamela Crowson
Secretary
Jonesboro

Lance Black
Jacksonville

Darlene Byrd
Cabot

Lorenda Cox
Murfreesboro

Robert Currie
Little Rock

Shirlene Harris
Little Rock

Kathy Hicks
Rogers

Karen Taylor
Little Rock

Lawana Waters
Hope

Clemetine Wesley
Pine Bluff

Jerry Wayne Lazerus
13291 Hwy 67
Malvern, AR 72104

RE: Probationary Status
RN License No. R28178 and CRNA License No. C00450

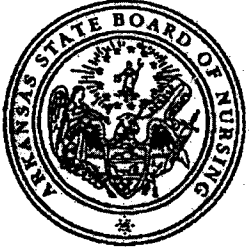
Dear Mr. Lazerus:

In November 1998, your RN and CRNA licenses were placed on probation for five (5) years with recommendations. You have complied with the terms and your license is now off probationary status.

Sincerely,

Phyllis DeClerk, RN
Director of Nursing Practice

PD:las



ARKANSAS STATE BOARD OF NURSING

1123 S. University Avenue, Suite 800, University Tower Building, Little Rock, AR 72204
Phone: (501) 686-2700 Fax: (501) 686-2714 www.arsbn.org

FORMAL DISCIPLINARY DOCUMENT

RE: JERRY WAYNE LAZERUS

Regarding your request for information about the above-named practitioner; attached is a true and correct copy of the document on file with the Arkansas State Board of Nursing Discipline Department. These records are considered Certified by the Arkansas State Board of Nursing.

Certain information may have been withheld pursuant to Arkansas state laws. While those laws require that most records be disclosed on request, they may also state that certain information should not be disclosed.

The following information has been withheld: NONE

Phyllis DeClerk, RN

Phyllis DeClerk, RN
ASBN Assistant Director



**ORDER FOR
VOLUNTARY SURRENDER**

IT IS SO ORDERED that the Board hereby accept the voluntary surrender of CRNA License No. C000450, RN License No. R028178 and Privilege to Practice in Arkansas, granted to Jerry Wayne Lazerus.

A written request and appropriate documentation must be submitted to the Board's General Counsel for consideration of reinstatement. Documentation requirements will vary dependent on each Respondent's circumstance. Appropriate documentation includes but is not limited to medical, employment and criminal records.

Nurses reinstating a nursing license to active status after the expiration date of the current license shall document completion of continuing education as required by the Board. On the backside of this form, please explain the reason for your voluntary surrender.

Respondent may apply for reinstatement of said license after one (1) year provided there are no other violations of the Nurse Practice Act.

Jerry Lazerus 10/23/12
Respondent Signature Date

ARKANSAS STATE BOARD OF NURSING

By: Sue A. Tedford, MNSc, RN
Sue A. Tedford, MNSc, RN, Executive Director

Dated: 10-23-12

Mary Trentham

From: Jerry Lazerus [jerlaz50@gmail.com]
Sent: Tuesday, October 23, 2012 3:39 PM
To: Mary Trentham
Cc: Jerry Lazerus
Subject: Voluntary Surrender of Licenses
Attachments: ArBd Lic.pdf

I ask that you accept my voluntary surrender of RN license, R28178, and APN license (CRNA) C00450.

I have no intention in the near or distant future to practice nursing or anesthesia again due to a progression of a chronic medical issue.

Jerry Lazerus

10/23/2012
15:45