



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia A. Plummer
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 600544 §
issued to JESSE ELLISON BROWN JR §

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 600544, issued to JESSE ELLISON BROWN JR, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Diploma in Nursing from Baptist Health System, San Antonio, Texas, on December 16, 1993. Respondent was licensed to practice professional nursing in the State of Texas on March 15, 1994.

4. Respondent's professional nursing employment history includes:

12/1993 - 01/2000	GN/RN	S.E. Baptist Hospital San Antonio, Texas
02/2000 - Present	Unknown	

5. On or about September 10, 2002, Respondent's license to practice professional nursing was REVOKED by the Texas Board of Nursing. A copy of the Order of the Board dated September 10, 2002, is attached and incorporated herein by reference as part of this Order.
6. On or about February 11, 2011, Respondent's Petition for Reinstatement of his license to practice professional nursing in the State of Texas was granted by the Texas Board of Nursing, and Respondent was ordered 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 Reinstatement Agreed Order dated February 11, 2011, is attached and incorporated herein by reference as part of this Order.
7. On June 27, 2013, Respondent was notified of the following allegation.

On or about June 5, 2013, Respondent was non-compliant with the Agreed Order issued to him by the Texas Board of Nursing on February 11, 2011. Non-compliance is the result of his failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) participation agreement in that he withdrew from TPAPN before completing the program.
8. On September 3, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated August 27, 2013, is attached and incorporated herein by reference as part of this Order.
9. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §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 Registered Nurse License Number 600544, heretofore issued to JESSE ELLISON BROWN JR, 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 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 600544, heretofore issued to JESSE ELLISON BROWN JR, 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 3rd day of September, 2013.

TEXAS BOARD OF NURSING

By:



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

Jesse Ellison Brown Jr
4806 El Presidio
San Antonio, TX 78223
Registered Nurse License Number 600544

Voluntary Surrender Statement

RECEIVED 285 - 2 JUN

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Jesse Brown Jr
Date 8.27.13

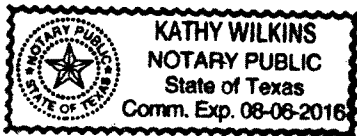
Registered Nurse License Number 600544

The State of Texas

Before me, the undersigned authority, on this date personally appeared JESSE ELLISON BROWN JR who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 27 day of AUG, 2013.

SEAL



Kathy Wilkins
Notary Public in and for the State of TEXAS



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. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § REINSTATEMENT
License Number 600544 §
issued to JESSE ELLISON BROWN, JR. § AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement of JESSE ELLISON BROWN, JR., Registered Nurse License Number 600544, hereinafter referred to as Petitioner.

An informal conference was held on January 11, 2011, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of his right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Mary Beth Thomas, PhD, RN, Director of Nursing, Executive Director's Designee; Dusty Johnston, General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Diane E. Burell, 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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived representative by counsel, notice and hearing, and agreed to the entry of this Order.
3. Petitioner received a Diploma in Nursing from Baptist Health System, San Antonio, Texas, in December 1993. Petitioner was licensed to practice professional nursing in the State of Texas on March 15, 1994.
4. Petitioner's professional nursing employment history includes:

12/93 - 1/00	Staff Nurse	S.E. Baptist Hospital San Antonio, Texas
2/00 - present	Not employed in nursing	

5. On September 10, 2002, Petitioner's license to practice professional nursing was Revoked by the Texas Board of Nursing. A copy of the September 10, 2002, Order of the Board and Formal Charges is attached and incorporated, by reference, as a part of this Order.
6. On or about October 13, 2010, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. Petitioner presented the following in support of his petition:
 - 7.1. Document reflecting Petitioner's release from mandatory supervision through the Texas Department of Criminal Justice, Huntsville, Texas, on April 5, 2010.
 - 7.2. Letter, dated June 4, 2010, from Linda Mouser, District Parole Officer, San Antonio, Texas, states she was Petitioner's supervising parole officer. Petitioner was successfully discharged from parole with no violations or positive drug screens. Petitioner did everything that was required of him. He is a definite asset to anyone that would give him employment.
 - 7.3. Letter of support, dated September 3, 2010, from Mindy S. Coyne, M.Ed., Hondo, Texas, states she has employed Petitioner at her business since March 2008. Since this time, Petitioner has carried out his job with much integrity and complete dedication. Ms. Coyne appreciates Petitioner's devotion to maintaining the business and his constant positive attitude toward co-workers and patrons of the facility. Petitioner has impressed Ms. Coyne also with his willingness to assist her with any task. Petitioner is truly a gentleman who possesses integrity and a very positive work ethic. He works hard, always delivering a high quality product while maintaining a positive professional attitude.
 - 7.4. Letter of support, dated August 31, 2010, from Cathy M. Hendriks, RN, MSN, CPNP-PC, San Antonio, Texas, states she has known Petitioner for approximately two (2) years. She found him to be a good man with many talents. He has stayed committed to attending church and is always welcoming and friendly. Ms. Hendriks believes he has earned the right to have his nursing license renewed. She would trust him with her own life and trusts him to serve others in a kind-hearted, meaningful way that only nurses can provide. Her hope is to see him thrive once again in such a wonderful career.
 - 7.5. Letter of support, dated August 22, 2010, from Jennifer N. Reynard, MD, states Petitioner has demonstrated an inspiring recovery from alcoholism. Dr. Reynard has had the pleasure of his company weekly at church services and witnessed this recovery first hand. He is extremely intelligent and will certainly re-acclimate to the nursing profession with ease. Dr. Reynard recommends, without reservation, that Petitioner be permitted to return to his chosen profession.

- 7.6. Letter of support, dated September 25, 2010, from Bill Logan, San Antonio, Texas, states he has known Petitioner a little over two (2) years. They met at AA group, Serendipity, in the summer of 2008. They have been meeting every Saturday and Sunday for noon meetings and lunch. In January 2009, Mr. Logan became Petitioner's sponsor and they began working the steps together. He has successfully worked the steps and continues to do so to this day. Petitioner is an active participant in fellowship, chairing meetings, and working with others. Mr. Logan is impressed with Petitioner's growth and can say that he is fully in recovery and an active member of AA. He would be an asset to any organization willing to give him an opportunity to prove himself.
- 7.7. Letter of support, dated September 20, 2010, from Michael P. Kachmer, CLU, ChFC, LUTCH, FIC, states he has known Petitioner for approximately two (2) years through his AA group. Mr. Kachmer states Petitioner attends several meetings a week and shares from his heart. Mr. Kachmer believes Petitioner is fully in recovery and works the 12 Steps on a regular basis. Mr. Kachmer also believes that Petitioner would not only be a credit to his profession again, but he now possesses the sensitivity and the skills to help others with this disease.
- 7.8. Documentation of support group attendance dating from May 5, 2010 through October 10, 2010.
- 7.9. Verification of successful completion of twenty (20) Type I Continuing Education Contact Hours.
8. Petitioner gives April 6, 2005, as his date of sobriety.
9. Petitioner'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 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication.
3. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of JESSE ELLISON BROWN, JR., Registered Nurse License Number 600544, to practice nursing in the state of Texas, be and the same is hereby GRANTED SUBJECT TO THE FOLLOWING CONDITIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until he has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not

be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a minimum 80-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure probation conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to JESSE ELLISON BROWN, JR., shall be subject to the following agreed post-licensure probation conditions:

(6) PETITIONER SHALL, within ninety (90) days following relicensure, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(7) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Texas Board of Nursing.

(8) PETITIONER SHALL comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

(9) PETITIONER SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN contract.

IT IS FURTHER AGREED, SHOULD PETITIONER 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 PETITIONER's license and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK

CONTINUED ON NEXT PAGE

PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

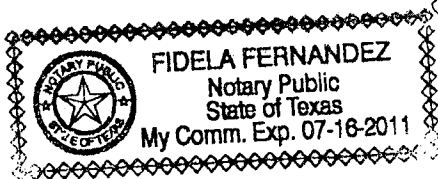
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 8 day of Feb, 2011.

Jesse Ellison Brown, Jr.
JESSE ELLISON BROWN, JR., Petitioner

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

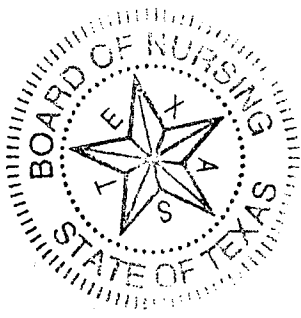
SEAL



Fidela Fernandez
Notary Public in and for the State of Texas

WHEREFORE PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 8th day of February, 2011, by JESSE ELLISON BROWN, JR., Registered Nurse License Number 600544, and said Order is final.

Entered and effective this 11th day of February, 2011.



Katherine A. Thomas
Katherine A. Thomas, MN, RN
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.
Patricia C. Williams
Executive Director of the Board

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 600544
ISSUED TO
JESSE ELLISON BROWN, JR.

§
§
§
§
§
§
§
§

BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE OF THE BOARD
OF NURSE EXAMINERS OF THE
STATE OF TEXAS

ORDER OF THE BOARD

TO: Jesse Ellison Brown, Jr.
3335 Bob Billa
San Antonio, Texas 78223

During open meeting held in Austin, Texas, on September 10, 2002, the Eligibility and Disciplinary Committee (herinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE, §213.16.

The Committee of the Board of Nurse Examiners finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code, §2001.054 (c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely notice of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE, §213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code, §2001.056 and 22 Texas Administrative Code, §213.16.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion to set aside the default order (22 TEX. ADMIN. CODE § 213.16(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 600544, previously issued to JESSE ELLISON BROWN, JR., to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 600544, previously issued to JESSE ELLISON BROWN, JR., upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 10th day of September, 2002.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 600544
Issued to JESSE ELLISON BROWN, JR.
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2002, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via first class mail, and addressed to the following person(s):

Jesse Ellison Brown, Jr.
3335 Bob Billa
San Antonio, Texas 78223

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License § BEFORE THE BOARD
Number 600544, Issued to § OF NURSE EXAMINERS
JESSE ELLISON BROWN, JR., Respondent § FOR THE STATE OF TEXAS

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JESSE ELLISON BROWN, JR., is a Registered Nurse holding license number 600544, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On April 20, 2000, Respondent plead guilty to and was convicted of the offense of Driving While Intoxicated-Third (3rd) or more, a Third Degree Felony, and was sentenced to a five (5) year Community Supervision term, in the 144th District Court, Bexar County, Texas, case number 200CR1376W.

The above action constitutes a violation of Section 301.452(b)(3), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of any recommended disposition of this matter pursuant to the factors stated in the Board's rule regarding penalty/sanction factors, 22 TEX. ADMIN. CODE, Section 213.33. NOTICE IS GIVEN that all statutes and rules cited in this Charge are attached and incorporated as a part of this pleading.

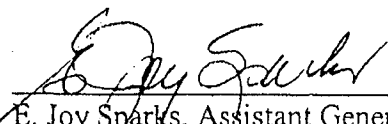
BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

Filed this 27th day of February, 2002.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-7401 or (512) 305-6870


E. Joy Sparks, Assistant General Counsel
State Bar No. 18874600
BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-7401 or (512) 305-6870

Attachments: Sections 301.452(b)
Section 213.33, 22 Texas Administrative Code (repeal and new chapter adopted 06/98,
change effective 09/01/98. Amended 06/99, effective 07/20/99)
Chapter 53 Consequences of Criminal Convictions, Texas Occupations Code, 76th Leg.,
R.S., Ch. 388, §1, 1999 Tex. Gen. Laws 79 (to be codified at Tex. Occ. Code Ann.
§§53.001-53.052)

0999/D