

In the Matter of  
Permanent Vocational Nurse  
License Number 179080  
Issued to ANGELA LOUISE BROWN,  
Respondent

§ BEFORE THE TEXAS  
§  
§  
§  
§ BOARD OF NURSING

**ORDER OF TEMPORARY SUSPENSION**

TO: ANGELA LOUISE BROWN  
3426 BELULAH ST  
HOUSTON, TX 77004

A public meeting of the Texas Board of Nursing was held on January 10, 2014 at 333 Guadalupe, Room 3-460, Austin, Texas, in which the Temporary Suspension of Permanent Vocational Nurse License Number 179080, issued to ANGELA LOUISE BROWN was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of ANGELA LOUISE BROWN and whether her continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

On or about December 16, 2013, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on July 31, 2013. Non-compliance is the result of her failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) participation agreement. Stipulation number three (3) of the Agreed Order dated July 31, 2013, states:

"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."



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. Thomas*  
Executive Director of the Board

On or about December 16, 2013, Respondent was dismissed from the Texas Peer Assistance Program for Nurses (TPAPN) for not responding to letters sent to her.

The Texas Board of Nursing further finds that, given the nature of the charges concerning her fitness to practice, the continued practice of nursing by ANGELA LOUISE BROWN constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Permanent Vocational Nurse License Number 179080, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 179080,, issued to ANGELA LOUISE BROWN, to practice nursing in the State of Texas be, and the same is/are, hereby SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61<sup>st</sup> day following the date of the entry of this order.

Entered this 10<sup>th</sup> day of January, 2014.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR

In the Matter of	§	BEFORE THE TEXAS
Permanent Vocational Nurse	§	
License Number 179080	§	
Issued to ANGELA LOUISE BROWN,	§	
Respondent	§	BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANGELA LOUISE BROWN, is a Vocational Nurse holding License Number 179080, which is in current 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 December 16, 2013, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on July 31, 2013. Non-compliance is the result of her failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) participation agreement. Stipulation number three (3) of the Agreed Order dated July 31, 2013, states:

"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."

On or about December 16, 2013, Respondent was dismissed from the Texas Peer Assistance Program for Nurses (TPAPN) for not responding to letters sent to her.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

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](http://www.bon.texas.gov).

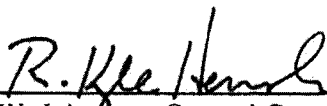
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

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](http://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 is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order dated July 31, 2013.

Filed this 10<sup>th</sup> day of January, 2014.

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  
John F. Legris, Assistant General Counsel  
State Bar No. 00785533  
John Vanderford, Assistant General Counsel  
State Bar No. 24086670

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: Order of the Board dated July 31, 2013.  
D/2012 06 19



I do hereby certify that the foregoing is a true and correct copy of the decision of the Texas Board of Nursing as it appears in the official records of the Board.  
*Katherine A. Thomas*  
Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of  
Vocational Nurse License Number 179080  
issued to ANGELA LOUISE BROWN

§     AGREED  
§  
§     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ANGELA LOUISE BROWN, Vocational Nurse License Number 179080, 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)(9),(10)&(12), 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 February 11, 2013.

### 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's license to practice vocational nursing in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from St. Louis Board of Education Practical Nursing Program, St. Louis, Missouri, on December 1, 1993. Respondent was licensed to practice nursing in the State of Texas on January 31, 2001.
5. Respondent's vocational nursing employment history is unknown.

6. On or about March 24, 2012, while employed with ProHealth Staffing, Houston, Texas and on assignment with St. Joseph Medical Center, Houston, Texas, Respondent lacked fitness to practice vocational nursing in that Respondent exhibited impaired behavior while on duty, including but not limited to, being found on the floor unresponsive. 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.
7. On or about March 24, 2012, while employed with ProHealth Staffing, Houston, Texas and on assignment with St. Joseph Medical Center, Houston, Texas, Respondent engaged in the intemperate use of Opiates, in that she submitted a specimen for drug screening which resulted positive for Opiates. The use of Opiates by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
8. On or about May 28, 2012 through June 6, 2012, while employed as a Vocational Nurse with New Era Nursing and Rehabilitation, LLP, Houston, Texas, Respondent misappropriated Vicodin, Oxycodone, Lyrica, and Methadone belonging to the facility and patients thereof, or failed to take the precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of medications, and is a violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
9. On or about June 7, 2012, while employed as a Vocational Nurse with New Era Nursing and Rehabilitation, LLP, Houston, Texas, Respondent engaged in the intemperate use of Cocaine and Opiates, in that she submitted a specimen for a drug screen that resulted positive for Cocaine and Opiates. Possession of Cocaine and Opiates is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine and Opiates by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger. Possession of Cocaine, without a valid prescription, is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
10. In response to Findings of Fact Number Six (6) through Nine (9) Respondent states that after suffering a fall she received prescriptions for Lorcet, Soma and Xanax. She developed an addiction to the medications and on July 29, 2012, she admitted herself for in-patient treatment at New Hope Women's Center in Pasadena. She currently has a sponsor and attends meeting.
11. The Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.

12. 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.
13. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
14. 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 evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(E),(4),(5),(6)(G),(8),(10)(A),(10)(D)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 179080, heretofore issued to ANGELA LOUISE BROWN, up to, and 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 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 all applicable 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.



RESPONDENT'S CERTIFICATION

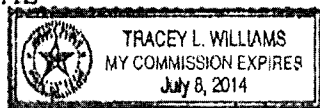
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer 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 9<sup>th</sup> day of July, 2013.

Angela Louise Brown  
ANGELA LOUISE BROWN, RESPONDENT

Sworn to and subscribed before me this 9<sup>th</sup> day of July, 2013.

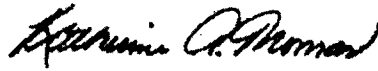
SEAL



Tracey L. Williams  
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 9th day of July, 2013, by ANGELA LOUISE BROWN, Vocational Nurse License Number 179080, and said Order is final.

Entered and effective this 31st day of July, 2013.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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