



Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 636546 §
issued to ERIC H. VON-DRAN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ERIC H. VON-DRAN, Registered Nurse License Number 636546, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 an Associate Degree from San Jacinto College, Pasadena, Texas, on May 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on January 16, 1997. Respondent received a Baccalaureate in Nursing from the University of Texas Medical Branch at Galveston, Galveston, Texas, on August 6, 1999.
5. Respondent's professional nursing employment history includes:

Unknown	RN	Memorial Herman Northwest Hospital Houston, TX
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Respondent's professional nursing employment history continued:

1998 - 2003	RN	Memorial Herman Southeast Hospital Houston, Texas
Unknown	RN	Gambro North American - Dialysis Center Galveston, Texas
2004 - Present	RN	Freinius Medical Care of North America - Dialysis Center Clear Lake, Texas

6. On or about September 3, 1996, Respondent was issued an Order of Eligibility by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and Order dated September 3, 1996, is attached and incorporated by reference as part of this Order.
7. On or about November 14, 2011, Respondent was arrested by the Texas Department of Public Safety, Brazoria County, Texas, for POSSESSION OF MARIJUANA<= 5LBS >4OZ, a State Jail felony offense.

On or about April 12, 2012, Respondent entered a plea of Guilty and was convicted of POSSESSION OF MARIJUANA, a State Jail felony offense committed on or about September 26, 2011, in the 23rd District Court of Brazoria County, Texas, under Cause No. 66876. As a result of the conviction, Respondent was sentenced to confinement in the Texas Department of Criminal Justice, State Jail Division, for a period of two (2) years; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years and ordered to pay a fine and court costs.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that since entering the plea in April 2012, he has paid the required fine, court costs, and fee to Crime Stoppers; commenced his community service in accordance with the probation requirements (a total of 140 hours is required); attended drug offense classes; attended Narcotics Anonymous meetings; underwent a drug evaluation on May 17, 2012; and has submitted EtG testing every 2 weeks. Respondent adds that his ability to perform his responsibilities at Freinius Medical Care of North America's Dialysis Center has not been affected by the incident. Respondent further adds that he does not have access to narcotic medications as a dialysis nurse.
9. Formal Charges were filed on December 11, 2013.
10. Formal Charges were mailed to Respondent on December 13, 2013.

11. Respondent, by his signature to this Order, expresses his/her desire to voluntarily surrender his license(s) to practice nursing in the State of Texas.
12. 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.
13. 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)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(3)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 636546, heretofore issued to ERIC H. VON-DRAN, 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, as amended, 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

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 636546, heretofore issued to ERIC H.

VON-DRAN, 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 professional nursing, use the title "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.

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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 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.

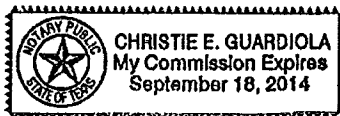
Signed this 11 day of APRIL, 20 14.

Eric H Von Dran
ERIC H VON-DRAN, Respondent

Sworn to and subscribed before me this 11 day of April, 20 14.

SEAL

Christie E. Guardiola
Notary Public in and for the State of Texas

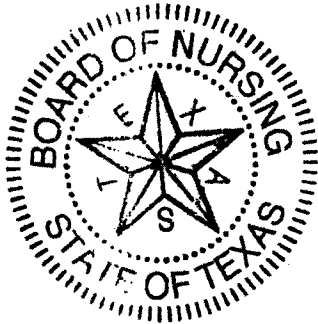


Approved as to form and substance.

Melanie Rubinsky
Melanie Rubinsky, Attorney for Respondent

Signed this 11th day of April, 20 14.

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the
Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License
Number 636546, previously issued to ERIC H VON-DRAN.



Effective this 15th day of April, 2014.

Katherine A. Thomas

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

I certify this to be a true copy
of the records on file with the
Texas Board of Nursing
Date: 4/18/14
Signed: [Signature]



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.
Heather Chism
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of
Eric Hughes Von Dran
Petitioner for Eligibility for
Licensure

ORDER
OF ELIGIBILITY

A public meeting was held on August 13, 1996, by the Eligibility and Disciplinary Committee of the Board of Nurse Examiners, at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, in which the petition of Eric Hughes Von Dran, hereinafter referred as Petitioner, was considered.

In attendance were: Board Members -- Rose M. Caballero, MSN and Doris Price-Nealy, MSN, RN. Staff present were Katherine A. Thomas, MN, RN, Executive Director; Penny Puryear Burt, General Counsel; Anthony L. Diggs, Supervising Investigator; Carol Vetter, Investigator; and Cheryl Sepulveda, Legal Assistant. Petitioner appeared in person and was represented by Jennifer Rangel and David Teel, Attorneys at Law.

FINDINGS OF FACT

1. On or about August 22, 1993, Petitioner submitted a Petition for Declaratory Order in compliance with Article 4519a(a), Texas Revised Civil Statutes, Annotated, as amended.
2. On May 10, 1996, Petitioner graduated from an Associate Degree Nursing Program at San Jacinto Community College (Central), Pasadena, Texas.
3. On or about May 8, 1996, the staff of the Board of Nurse Examiners reviewed the petition and documentation received and, in light of Petitioner's criminal history, recommended that his eligibility be considered by the Eligibility and Disciplinary Committee of the Board.
4. On or about October 25, 1982, in the County Criminal Court at Law Number 7, Harris County, Texas, in Cause Number 675077, Petitioner was convicted of the offense of Theft over \$20, less than \$200. The offense occurred on or about October 8, 1982. Petitioner was assessed a fine and ordered to serve three days in jail. Petitioner met the conditions of the Court.

On or about October 17, 1984, in the 176th District Court of Harris County, Texas, in Cause Number 408825, Petitioner was convicted of the offense of Possession of a Controlled Substance (Cocaine) a felony. The offense occurred on or about August 15, 1984. Petitioner was assessed a fine and placed on probation for four years. Due to the arrest stated in Finding of Fact Number 6, Petitioner's probation was revoked and the Court assessed punishment of three years confinement in the Texas Department of Corrections. Petitioner was released after serving 3 months and 5 days.

On or about November 5, 1985, Petitioner was arrested for Possession of Marijuana.

On or about October 29, 1987, in the County Court of Brooks County, Texas, in Cause Number 6671, Petitioner was convicted of the offense of Possession of Marijuana. The offense occurred on or about November 8, 1986. Petitioner was fined and ordered to remain in custody at the Brooks County Jail for three days. Petitioner was then placed on probation for one year. Petitioner met the conditions of the Court.

There is no evidence of any subsequent conviction.

Petitioner waived notice and hearing.

On or about August 13, 1996, the Eligibility and Disciplinary Committee of the Board considered the evidence of the conviction and evaluated its direct relationship to nursing according to Article 6552-132(b) TEX. REV. CIV. STAT. ANN. as amended and 22 Texas Administrative Code, §213.28, including the nature and circumstance of the offenses, and the absence of any subsequent conviction.

On or about August 13, 1996, the Eligibility and Disciplinary Committee of the Board considered evidence of Petitioner's post-conviction behavior in light of the character factors set out in 22 Texas Administrative Code, §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.

The Board received letters of support/recommendation for Petitioner from the following:

Peggy Jackson/August, LCDC, CADAC, IRT, Director, Galveston Office, Bay Area Council on Drugs & Alcohol, Inc, Galveston, Texas
Cynthia L. Wheeler, LCDC, CADAC, NCAC II, Clear Lake Counseling Services, PC, Houston, Texas
Jane Ann Mathis, RNC, MSN, Instructor, San Jacinto College - Central Campus
Thelma Tims, BSN, MS, CS, Instructor, Associate Degree Nursing, San Jacinto College Central, Pasadena, Texas
Sharon Buffalo, RN, MSN, CCRN, San Jacinto College - Central
Alvin L. Soderberg, Assistant Pastor, Living Stones Church, Alvin, Texas
Kevin Kinchen, Associate Pastor, Living Stones Church, Alvin, Texas
David and Kris Seannor, League City, Texas
Steve Mullins, Palm City, Florida
Melvin G. Aldridge, Jr., DC, PC

13 The Board's review of the grounds for potential ineligibility has been made on the basis of
Petitioner's disclosures.

14 Petitioner has been advised by the Board that any information found to be incomplete,
incorrect or misleading will be considered and may result in an ultimate determination of
ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1 The Board of Nurse Examiners has jurisdiction over this matter pursuant to Article 4525(a),
Texas Revised Civil Statutes, Annotated, as amended.

2 Petitioner has submitted a petition in compliance with Article 4519a(a), TEX. REV. CIV.
STAT. ANN., as amended.

3 Petitioner's criminal history reflects a felony conviction and a misdemeanor conviction
involving moral turpitude which are grounds for denial of a license under Article 4525(b)(3),
TEX. REV. CIV. STAT. ANN., as amended.

4 The Board may license an individual who has been previously convicted of a crime upon
consideration of the factors set out in 22 Texas Administrative Code, §213.28 and evaluating
the direct relationship to nursing according to Article 6252-11c(b), TEX. REV. CIV. STAT.
ANN., as amended.

5 The Board may license an individual with prior behaviors inconsistent with the Board's
character requirements if, upon evaluation of the factors in 22 Texas Administrative Code,
§213.27, the Board is satisfied that the individual is able to consistently conform his conduct
to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and
generally accepted standards of nursing practice including, but not limited to, behaviors
indicating honesty, accountability, trustworthiness, reliability and integrity.

NOW, THEREFORE, IT IS ORDERED that upon meeting the requirements for
graduation and payment of necessary fees, Eric Hughes Von Dran is conditionally eligible to sit for
the National Council Licensure Examination for Registered Nurses. Petitioner is FURTHER
ORDERED to immediately notify the Board of any fact or event that could constitute a ground of
ineligibility for licensure under Article 4525, TEX. REV. CIV. STAT. ANN., as amended. In the

absence of any fact or event constituting a ground for refusal, Petitioner shall be issued a CODED GRADUATE NURSE PERMIT subject to the reservations set out above.

IT IS FURTHER ORDERED that upon attaining a passing grade on the NCLEX-RN, Petitioner shall be issued a CODED LICENSE to practice nursing in the State of Texas. That license shall be subject to the following stipulations for only (1) year:

Within one year of Petitioner's initial licensure date, Petitioner shall successfully complete a Board approved course in Nursing Jurisprudence.

Petitioner SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, as amended, Article 4513 et seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 Texas Administrative Code §211.01 et seq. and this Order.

Stipulation number 2 may only be satisfied while Petitioner is employed as a registered nurse in a clinical practice setting. Petitioner must work in such setting a minimum of sixty-four hours per month for twelve (12) consecutive months. The length of the stipulation period will be extended until such twelve months have elapsed.

Petitioner SHALL keep the Board apprised of his employer's name, address and telephone number.

Petitioner SHALL submit to random periodic screens for controlled substances and alcohol.

For the first three (3) month period, random screens shall be performed at least once per week.

For the second three (3) month period, random screens shall be performed at least once per month.

For the remainder of the stipulation/probation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cocaine Metabolites	Opiates
Ethanol	Phencyclidine
Hydrocodone	Propoxyphene
Marijuana Metabolites	

A Board representative will determine when this screen will be done and will notify the specimen collector of the date the screen is to be performed. A Board representative may appear at the Petitioner's place of employment at any time during the stipulation period and collect a specimen for screening. That specimen will be screened for all of the above substances as well as Bupropionol Tartrate (Sudol), Dezocine (Dalgan), and Nalbuphine Hydrochloride (Nubain).

All screens shall be properly monitored and production of specimen personally observed by the employer's designee. A complete chain of custody shall be maintained for each specimen obtained and analyzed.

Petitioner (SHALL) CAUSE the employer/laboratory to send the written results of each random screen to the Office of the Board within five (5) days of the date that the screen is analyzed. If any screen tests positive for alcohol and/or controlled substances Nubain, Sudol, Dalgan or other synthetic opiates for which the RESPONDENT does not have a valid prescription, the employer/laboratory shall report such results to the Board Office on the day that the results are received by calling (312) 305-6834 and reporting the positive results to the Monitoring Technician.

Upon compliance with the terms of the Order, Petitioner may be issued an unencumbered license.

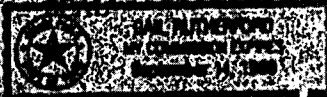
PETITIONER CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order of Eligibility. I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Terms, Stipulations and Conditions. I waive my right to a hearing and judicial review of this Order.

Signed this 26 day of August, 1996.

Eric Hughes Von Dran
Eric Hughes Von Dran

Sworn to and subscribed before me this 26 day of August, 1996.



Eric Ruthersford
Notary Public in and for the State of
Texas

Approved as to form and substance:

Jennifer L. Rangel
Jennifer L. Rangel, Attorney
for Petitioner

Signed this 26 day of August, 1996.

Entered this 3rd day of September, 1996.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY Katherine A. Thomas
Katherine A. Thomas, MN, RN
Executive Director