



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
Vocational Nurse License Number 203669
issued to DAISY ANN RODRIGUEZ

§ AGREED
§
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Boar considered the matter of DAISY ANN RODRIGUEZ, Vocational Nurse License Number 203669, 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, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent holds a license to practice nursing in the State of Texas, which is currently in Delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Galen College of Nursing, San Antonio, Texas, on February 3, 2006. Respondent was licensed to practice vocational nursing in the State of Texas on April 6, 2006.
5. Respondent's complete vocational employment history is unknown.

6. On or about December 29, 2013, Respondent was arrested by the Kerrville Police Department, Kerrville, Texas, and charged with POSS CS PG 1 >= 4G < 20G, a Second Degree Felony offense, and POSS OF DRUG PARAPHERNALIA, a Class C misdemeanor offense. The case is currently pending.
7. On or about January 3, 2014, Respondent was arrested by the Kerrville Police Department, Kerrville, Texas, and charged with POSS CS PG 1 < 1G DRUG FREE ZONE, a Third Degree Felony offense. This case is currently pending.
8. On or about March 2, 2014, Respondent was arrested by the Boerne Police Department, Boerne, Texas, and charged with THEFT PROP >= \$50 < \$500, a Class B misdemeanor offense. This case is currently pending.
9. On or about March 13, 2014, Respondent was arrested by the the Texas Department of Public Safety, Kendall County, Boerne, Texas, and charged with POSS CS PG 1 < 1G, a State Jail Felony, and DRIVING W/LIC INV W/PREV CONV/SUSP/W/O FIN RES, a Class B misdemeanor. This is currently pending.
10. On or about May 19, 2014, Respondent was indicted for two (2) counts of MAN DEL CS PG 1 >= 1G DRUG FREE ZONE, a First Degree Felony offense, in the District Court, Kerr County, Texas, under Cause Nos. A14270 and A14271. This case is currently pending.
11. On or about July 11, 2014, Respondent was arrested by the Kerr County Sheriff's Office, Kerrville, Texas, and charged with MAN/DEL CS PG 1 > 1G DRUG FREE ZONE, a Felony offense. The case is currently pending.
12. In response to Findings of Fact Numbers Six (6) through Eleven (11), Respondent states she is currently incarcerated in Kerr County Jail and has been indicted on three charges. She has not worked as an LVN since March of 2013. On May 6, 2014, she entered an inpatient rehab called Alpha Home and completed this successfully. After leaving rehab she had warrants for her arrest, so she immediately turned herself in. She states she's made some mistakes and is trying to fix them.
13. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.
14. 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.

15. 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).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 203669, heretofore issued to DAISY ANN RODRIGUEZ, 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 Vocational Nurse License Number 203669, heretofore issued to DAISY ANN RODRIGUEZ, 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 vocational 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 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(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 10 day of September, 2014.

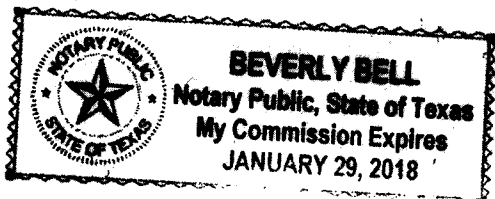
D. Rodriguez
DAISY ANN RODRIGUEZ, Respondent

Sworn to and subscribed before me this 10 day of September, 2014.

SEAL

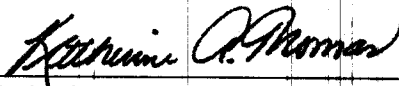
Beverly Bell

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 the voluntary surrender of Vocational Nurse License Number 203669, previously issued to DAISY ANN RODRIGUEZ.

Effective this 16th day of September, 2014.



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