



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 582993 §
issued to ELISA GAIL JACKSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board

considered the matter of ELISA GAIL JACKSON, Registered Nurse License Number 582993, 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)(8), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on July 20, 2015.

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 notice and hearing and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from San Jacinto College, Pasadena, Texas, on May 1, 1992. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1992.
5. Respondent's nursing employment history is unknown.
6. On or about October 1, 2014, Respondent's Nevada Professional Nursing License was Revoked by the Nevada State Board of Nursing, Las Vegas, Nevada. A copy of the Nevada State Board of Nursing Order dated October 1, 2014, is attached and incorporated, by reference, as part of this order.

7. Regarding the conduct outlined in Finding of Fact Number Six (6), Respondent denies that she was impaired, and she believes the blood screen result is inaccurate.
8. 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.
9. Formal Charges were filed on May 12, 2015.
10. Formal Charges were mailed to Respondent on May 12, 2015.

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 Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 582993, heretofore issued to ELISA GAIL JACKSON, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 582993, previously issued to ELISA GAIL JACKSON, to practice nursing in Texas is hereby **SUSPENDED** with the suspension **STAYED** and Respondent is hereby placed on **PROBATION**, in accordance with the terms of this Order, for a minimum of three (3) years **AND** until Respondent fulfills the requirements of this Order.

- A. This Order **SHALL** apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply 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 this Order.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.
- B. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form

or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five hundred dollars (\$500.00) within forty-five (45) days of entry of this Order.** Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for twelve (12) quarterly periods [three (3) years] of employment. This requirement will not be satisfied until twelve (12) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of

Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.

- C. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **No Night or Rotating Shifts, Overtime, or On-Call:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which Respondent is regularly assigned.
- E. **No Critical Care:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse in any critical care area. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.
- F. **No Administration of Controlled Medications:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates.
- G. **Indirect Supervision:** For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working.

RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- H. Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for twelve (12) quarters [three (3) years] of employment as a nurse.

VI. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A.** While under the terms of this Order, RESPONDENT SHALL abstain from the use of alcohol, tramadol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner 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 practitioner, within ten (10) days of the date of the prescription. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.
- B.** While working as a nurse under the terms of this Order, RESPONDENT SHALL submit to random periodic screens for alcohol, tramadol, and controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when Respondent obtains employment and submits the Notification of Employment form to the Board.
- For the first three (3) month [1st quarter] period RESPONDENT works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
 - For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
 - For the next six (6) month period [3rd & 4th quarters], random screens shall be performed at least once per month.

- For the remainder of the probation period, random screens shall be performed at least once every three (3) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board. Any test result for a period of time in which the RESPONDENT is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

Specimens shall be screened for at least the following substances and their metabolites:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which RESPONDENT does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject RESPONDENT to further disciplinary action, including TEMPORARY 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. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

- C. **While under the terms of this Order, RESPONDENT SHALL attend at least two (2) support group meetings each week,** one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by 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; and the

signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month quarterly period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

VII. FURTHER COMPLAINTS

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

VIII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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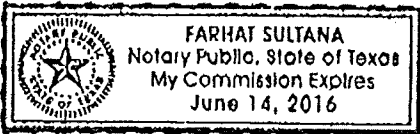
RESPONDENT'S CERTIFICATION

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 entry of this 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 when this Order becomes final and the terms of this Order become effective, 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11 day of August, 2015.
Elisa Jackson
ELISA GAIL JACKSON, Respondent

Sworn to and subscribed before me this 11 day of August, 2015.

SEAL



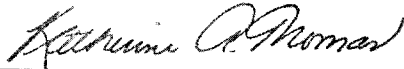
Farhat Sultana
Notary Public in and for the State of Texas

Approved as to form and substance.
Andre D'Souza
Andre D'Souza, Attorney for Respondent

Signed this 11 day of AUGUST, 2015.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 11th day of August, 2015, by ELISA GAIL JACKSON, Registered Nurse License Number 582993, and said Order is final.

Effective this 8th day of September, 2015.



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

ORIGINAL

BEFORE THE NEVADA STATE BOARD OF NURSING

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IN THE MATTER OF
ELISA JACKSON
LICENSED PROFESSIONAL NURSE
NEVADA LICENSE NO. RN60011
RESPONDENT

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER.

CASE NO. 0740-14C

On Thursday, September 18, 2014, a hearing was held in the above matter before the Nevada State Board of Nursing at the Tuscan Suites, 255 E. Flamingo Road, Las Vegas, NV 89169 in compliance with the provisions of Chapters 233B and 632 of the Nevada Revised Statutes (NRS) and Chapter 632 of the Nevada Administrative Code (NAC).

Respondent Elisa Jackson did not appear at the hearing. The Nevada State Board of Nursing staff appeared through counsel, Frederick R. Olmstead.

Based upon NAC 632.923, the Board proceeded to consider the case without the participation of Respondent. Based upon NAC 632.923, the Board considered the charges specified in the Complaint to be true. Accordingly, the Board made the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

I.

At least twenty-one (21) working days prior to the date of the hearing, Respondent had been noticed of the hearing by certified mail and by first class mail, which notice was mailed to Respondent's last known residential address.

II.

The Board had jurisdiction over the matter, and the Board could proceed to make a determination in the matter.

1 III.

2 On September 2, 2008, Respondent was initially licensed as a Licensed Professional
3 Nurse (RN) in the State of Nevada.

4 On July 16, 2014, Respondent was employed and working as a RN at the MountainView
5 Hospital, located in Las Vegas, Nevada. On that day, Respondent reported for clinical
6 orientation duty. Respondent appeared impaired and had the smell of alcohol on her person.
7 Respondent was asked to submit to alcohol and drug test. The results from Respondent's drug
8 and alcohol test revealed a positive result for alcohol with a blood alcohol content of 0.213.

9 **CONCLUSIONS OF LAW**

10 1. Pursuant to NRS 632.320 and/or NAC 632.325 and/or NAC 632.923-927, the
11 Board may take disciplinary action against the Respondent based upon proof of a violation of
12 chapter 632 of the Nevada Revised Statutes and/or the Nevada Administrative Code.

13 2. Based on the charges specified in the Complaint being considered as true, due to
14 Respondent's failure to appear at the hearing after proper notice was given, Respondent was found
15 guilty of violating NRS 632.320(1)(g) unprofessional conduct, because Respondent violated
16 NAC 632.890(9) when Respondent practiced nursing while, with or without good cause, her
17 physical, mental or emotional condition impairs her ability to act in a manner consistent with
18 established or customary nursing standards, or both.

19 Respondent was also found guilty of violating NRS 632.320(1)(g) unprofessional
20 conduct, because Respondent violated NAC 632.890(10) when Respondent practiced nursing, if
21 any amount of alcohol or a controlled substance or dangerous drug that is not legally prescribed
22 is present in the body of the nurse as determined by a test of the blood, saliva, breath, hair or
23 urine of the nurse given while the nurse is on duty

24 **ORDER**

25 Based on the foregoing Findings of Fact and Conclusions of Law and good cause
26 appearing therefore,
27

1 IT IS HEREBY ORDERED that pursuant to NRS 632.320 and/or NAC 632.926 (1)(h),
2 Respondent's Nevada Professional Nursing License No. RN60011 is revoked. Respondent may
3 not apply for reinstatement of her Nevada RN license for a period of five years.

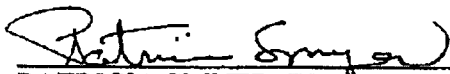
4 IT IS FURTHER ORDERED that the revocation shall become part of Respondent's
5 permanent record, be published on the Board's list of disciplinary actions, and be reported to the
6 appropriate data banks.

7 Pursuant to NRS 632.400(2), the ruling of the Board contained in these Findings of Fact,
8 Conclusions of Law, and Order shall take effect upon service to the Respondent or when the
9 Board receives a return from the United States Postal Service indicating the Respondent refused
10 service or could not be located.

11 If no return is received by the Board, the order shall become effective 30 days from the
12 date of the order.

13 DATED this 1 day of October 2014.

14 NEVADA STATE BOARD OF NURSING

15
16 By: 
17 PATRICIA SMYER, DNSC, RN
18 Board President
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CERTIFICATE OF SERVICE

2nd I certify that I am an employee of the Nevada State Board of Nursing, and that on this day of October 2014, I served a copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, by placing said document in the U.S. Mail by first class mail and by the U.S. Mail, certified, return receipt requested and postage prepaid, addressed to:

Elisa Jackson



for Christie Tolpason
Hillary Murphy
Management Assistant
Nevada State Board of Nursing