



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 Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 718009 §
issued to EDDIE DEAN DAVIS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of EDDIE DEAN DAVIS, Registered Nurse License Number 718009, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived 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 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 Odessa College, Odessa, Texas on May 13, 2005. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 2005.
5. Respondent's professional nursing employment history includes:

06/2005 - 06/2007	Staff RN	Medical Center Hospital Odessa, Texas
06/2007 - 08/2007	Unknown	

Respondent's professional nursing employment history continued:

08/2007 - 09/2012	Staff RN	Midland Dialysis Center Midland, Texas
03/2012 - 08/2013	RN	Buena Vida Nursing and Rehabilitation Odessa, Texas
08/2013 - 01/2014	RN	Home Hospice Odessa, Texas
01/2014 - Present	Unknown	

6. On or about January 21, 2010, Respondent's license to practice professional nursing in the State of Texas was issued the sanction of a SUSPEND/PROBATE. A copy of the Finding of Fact, Conclusions of Law and Order dated is attached and incorporated herein by reference as part of this Order.
7. At the time of the initial incident in Finding of Fact Number Eight (8), Respondent was employed as a Registered Nurse with Buena Vida Nursing and Rehabilitation, Odessa, Texas, and has been in this position for approximately one (1) year and five (5) months.
8. On or about August 2, 2013, while employed as a Registered Nurse with Buena Vida Nursing and Rehabilitation, Odessa, Texas, Respondent failed to follow the facility's policy and procedure for wastage of Hydrocodone in that he admitted to flushing approximately twenty-three (23) Hydrocodone tablets belonging to Patient M.B. without a witness after the tablets had fallen on the ground. Additionally, Respondent admitted to replacing the Hydrocodone with Trental and other strengths of Hydrocodone for both Patient M.B. and Patient K.W. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
9. On or about August 2, 2013, while employed as a Registered Nurse with Buena Vida Nursing and Rehabilitation, Odessa, Texas, Respondent misappropriated Hydrocodone from the facility and patients thereof, or failed to take precautions to prevent the misappropriation of the Hydrocodone. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. On or about August 5, 2013, while employed as a Registered Nurse with Buena Vida Nursing and Rehabilitation, Odessa, Texas, Respondent engaged in the intemperate use of Opiates and Marijuana in that he produced a for-cause urine specimen, which resulted positive for Opiates and Marijuana. Unlawful possession of Opiates and Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act).

The use of Opiates and Marijuana by a Registered 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.

11. On or about December 30, 2013, while employed as a Registered Nurse with Home Hospice, Odessa, Texas, Respondent misappropriated Lortab belonging to Patient J.M. or failed to take precautions to prevent the misappropriation of the Lortab. Respondent's conduct was likely to defraud the facility and the patient of the cost of the medication.
12. On or about January 2, 2014, while employed as a Registered Nurse with Home Hospice, Odessa, Texas, Respondent engaged in the intemperate use of Hydrocodone, Hydromorphone, and Marijuana, in that he produced a urine specimen for a for-cause drug screen that resulted positive for Hydrocodone, Hydromorphone, and Marijuana. Unlawful possession of Opiates and Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Opiates and Marijuana by a Registered 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.
13. On or about January 15, 2014, Respondent went to the home of Patient M.P., after being terminated from Home Hospice, Odessa, Texas, and misappropriated approximately three (3) Lortab belonging to this patient or failed to take precautions to prevent the misappropriation of the Lortab. Respondent's conduct was likely to defraud the patient of the cost of the medications.
14. In response to Findings of Fact Numbers Eight (8) through Ten (10), Respondent admits that he did make the mistake of wasting the medications without a proper witness but it was the only mistake he made. He admits that he replaced the medication with another one that was not being used and put the damaged card in the back of the cart drawer to insure it would not be used until the next morning when he could ask the DON or ADON how to handle the mishap. Respondent admits that he did submit to a drug screen and presented his prescription for Hydrocodone. As for marijuana, Respondent denies that he used marijuana or uses it, but suggests that he has been around it and it could have stayed in his system for weeks or months. Furthermore, Respondent denies Findings of Fact Numbers Eleven (11) through Thirteen (13).
15. Formal Charges were filed on April 15, 2014.
16. Formal Charges were mailed to Respondent on April 15, 2014.
17. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license(s) to practice nursing in the State of Texas.

18. 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.
19. 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 §217.11(1)(A)&(1)(B) and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(5),(6)(G),(8),(10)(A),(10)(C),(10)(D)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 718009, heretofore issued to EDDIE DEAN DAVIS, 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.

TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Registered Nurse License Number 718009, heretofore issued to EDDIE DEAN DAVIS, 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/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/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:
 - A. One (1) year has elapsed from the date of this Order; and
 - B. RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition for reinstatement.
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 entry of this Order, and the 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 Nov, 2014

Eddie Dean Davis
EDDIE DEAN DAVIS, Respondent

Sworn to and subscribed before me this _____ day of _____, 20____

SEAL

Notary Public in and for the State of _____

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 718009, previously issued to EDDIE DEAN DAVIS.

Effective this 10th day of November, 2014.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 718009 §
issued to EDDIE DEAN DAVIS § ORDER



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

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that EDDIE DEAN DAVIS, hereinafter referred to as Respondent, Registered Nurse License Number 718009, may have violated Section 301.452(b)(9)&(10), Texas Occupations Code.

An informal conference was held on October 6, 2009, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of his right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, Executive Director; Tamara Cowen, MSN, RN, Board Member; John F. Legris, Assistant General Counsel; Ron Simpson, Assistant General Counsel; Bonnie Cone, MSN, RN, Nurse Consultant; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Kimberly Botello-Rodriguez, Investigator; and James S. Smelser, 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 Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, notice and hearing, and consented 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 in Nursing from Odessa College, Odessa, Texas on May 13, 2005. Respondent was licensed to practice professional nursing in the State of Texas on June 30, 2005.
5. Respondent's nursing employment history includes:

June 2005 to June 2007	Staff RN	Medical Center Hospital Odessa, Texas
June 2007 to August 2007	Not employed in Nursing	
August 2007 to Present	Staff RN	Midland Dialysis Center Midland, Texas
6. At the time of the incident in Findings of Fact Numbers Seven (7) and Eight (8), Respondent was employed as a Registered Nurse with Medical Center Hospital, Odessa, Texas, and had been in this position for seven (7) months.
7. On or about January 25, 2007 while employed as a Registered Nurse with Medical Center Hospital, Odessa, Texas Respondent admitted that he used and misappropriated Meperidine. Respondent's conduct defrauded the facility and the patients thereof of the cost of the medications.
8. On or about June 13, 2007 while employed as a Registered Nurse with Medical Center Hospital, Odessa, Texas Respondent engaged in the intemperate use of Meperidine, in that he produced a specimen for a drug screen which resulted positive for Meperidine. Possession of Meperidine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Meperidine by a Registered 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.
9. At the time of the incident in Finding of Fact Number Ten (10), Respondent was employed as a Registered Nurse with Midland Dialysis Center, Midland, Texas , and has been in this position for one (1) year.

10. On or about August 14, 2008 while employed as a Registered Nurse with Midland Dialysis Center, Midland, Texas Respondent engaged in the intemperate use of Alcohol, in that Respondent produced a specimen for a drug screen which resulted positive for Ethyl Glucuronide (EtG) 3886 ng/mL. The use of alcohol by a Registered 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.
11. Respondent's last known date of sobriety is August 14, 2008 as indicated in Finding of Fact Number Ten (10).
12. Respondent states that he experienced grief, depression, and severe insomnia after finding his brother dead. Respondent admits that he failed to waste unused portions of Meperidine and took it for his own personal use. Respondent admits that he took medication from a relative for a stomach virus, which was a combination drug of Phenergan/Meperidine, however at the time, he did not know it contained Meperidine. Respondent admits that knew it was against TPAPN policy, but just wished for some relief from the virus. Respondent admitted to drinking at a family reunion, but does not feel he has an alcohol problem and asserts his problem is with narcotics.

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 violations of Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(G), (8) & (10)(A),(C)&(D).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 718009, heretofore issued to EDDIE DEAN DAVIS, including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that License Number 718009, previously issued to EDDIE DEAN DAVIS, to practice nursing in Texas is hereby SUSPENDED for a period of two (2) years with the said suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is 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.

(1) RESPONDENT SHALL 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.

(2) RESPONDENT SHALL deliver the wallet-sized license issued to EDDIE DEAN DAVIS, to the office of the Texas Board of Nursing within ten (10) days of the date of this Order.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order,, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to

be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.state.tx.us/about/stipscourses.html>.

for the duration of the probation period, or until RESPONDENT is dismissed from therapy.

(4) RESPONDENT SHALL pay a monitoring fee in the amount of Five Hundred dollars (\$500.00). RESPONDENT SHALL pay this fine 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.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE

PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATIONARY PERIOD.

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) For the first year of employment as a professional nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse or a Licensed Vocational Nurse. Direct supervision requires another professional nurse 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). The 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.

(8) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered 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.

(9) 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 for one (1) year of employment as a nurse.

(10) RESPONDENT SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. 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.

(11) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of

employment as a nurse.

(12) 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 Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) year(s) of employment as a nurse.

(13) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of 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 an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(14) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period,

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) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis is the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

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.

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 probation period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

(15) RESPONDENT SHALL participate in therapy with a "professional counselor"

possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure 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 violations 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 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 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 23 day of November, 2009.

Eddie Dean Davis
EDDIE DEAN DAVIS, Respondent

Sworn to and subscribed before me this 23rd day of November, 2009.

SEAL



Laura Flores

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 23rd day of November, 2009, by EDDIE DEAN DAVIS, License Number 718009, and said Order is final.

Effective this 21st day of January, 2010.

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

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