



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
Vocational Nurse License Number 83362 §
issued to LAURIE JAN FRANKLIN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LAURIE JAN FRANKLIN, Vocational Nurse License Number 83362, 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 vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Odessa College, Odessa, Texas, on August 16, 1979. Respondent was licensed to practice vocational nursing in the State of Texas on October 16, 1979.
5. Respondent's nursing employment history includes:

09/1979 - 09/1982	LVN	Upjohn Healthcare Services Odessa, Texas
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Respondent's vocational nursing employment history continued:

09/1982 - 09/1995	LVN	Dr. G.M. Gollapudi Odessa, Texas
10/1995 - 02/1997	Unknown	
03/1997 - 08/2009	LVN	Correctional Managed Healthcare Odessa, Texas
09/2009 - 02/2011	LVN	Midland Family Physicians Midland, Texas
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03/2011 - 12/2014	LVN	Four Seasons Health and Wellness Midland, Texas
01/2015 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Four Seasons Health and Wellness, Midland, Texas, and had been in that position for approximately three (3) years and seven (7) months.
7. On or about October 30, 2014, through December 16, 2014, while employed with Four Season Health and Wellness, PLLC, Midland, Texas, Respondent obtained Hydrocodone, Ativan, Klonopin, and Lortab, under her name and her mother's name, through the use of a fraudulent electronic prescription, using the name and Drug Enforcement Agency (DEA) number assigned to S.M., MD. Respondent's conduct was likely to deceive the pharmacy, and possession of Hydrocodone through use of an unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about December 16, 2014, while employed with Four Seasons Health and Wellness, PLLC, Midland, Texas, Respondent lacked fitness to practice vocational nursing in that she had not shown up for work because she had been taken to the hospital when she was found to be confused and impaired. Respondent told the Emergency Room doctor she had taken "too many Xanax." Respondent's conduct 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.
9. On or about December 16, 2014, while employed with Four Seasons Health and Wellness, PLLC, Midland, Texas, Respondent engaged in the intemperate use of Opiates, in that she submitted a urine specimen for a drug screen that resulted positive for Opiates. Possession

of Opiates, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Opiates by a Licensed 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.

10. On or about September 10, 2015, Respondent entered a plea of "Guilty" and was convicted of "OBTAINING HYDROCODONE BY DECEPTION," a felony offense committed on or about August 22, 2014, in the United States District Court, Western District of Texas, Midland Division, under Case No. 7:15-CR-111-01. As a result of the conviction, Respondent was placed on probation for a period of four (4) years and was ordered to pay a fine and court costs.

11. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her 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(1)(B),(1)(E),(4),(5),(6)(A),(6)(H),(10)(A),(10)(D),(10)(E),(11)(B)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(3),(9),(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 83362, heretofore issued to LAURIE JAN FRANKLIN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

5. 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.
6. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
7. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
8. 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 Vocational Nurse License Number 83362, heretofore issued to LAURIE JAN FRANKLIN, 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 his/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:
 - 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.
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.

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 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 22nd day of October, 2015.

Laurie Jan Franklin
LAURIE JAN FRANKLIN, Respondent

Sworn to and subscribed before me this 22 day of October, 2015.

SEAL

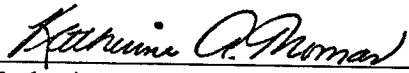
Katy Kuykendall

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 83362, previously issued to LAURIE JAN FRANKLIN.

Effective this 22nd day of October, 2015.



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