



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. Thomas*  
Executive Director of the Board

**In the Matter of  
Permanent Vocational Nurse  
License Number 172254  
Issued to JACQUELYNN KAY HANKE,  
Respondent**

**§ BEFORE THE TEXAS  
§  
§  
§ BOARD OF NURSING  
§**

**ORDER OF TEMPORARY SUSPENSION**

**TO: JACQUELYNN KAY HANKE  
5608 COUGAR DR., APT 305  
AUSTIN, TEXAS 78745**

A public meeting of the Texas Board of Nursing was held on February 16, 2016 at 333 Guadalupe, Room 3-460, Austin, Texas, in which the Temporary Suspension of Permanent Vocational Nurse License Number 172254, issued to JACQUELYNN KAY HANKE was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of JACQUELYNN KAY HANKE and whether her continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

On or about December 7, 2015, Respondent became noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on September 10, 2014. On or about December 7, 2015, Respondent produced a specimen for a random drug screen that resulted positive for Ethyl Glucuronide and Ethyl Sulfate, metabolites of alcohol. Respondent's failure to abstain from the consumption of alcohol is a violation of Stipulation Number Twelve (12) of the Agreed Order dated September 10, 2014, which expressly states:

"(12) RESPONDENT SHALL abstain from the consumption of alcohol . . . ."

On or about December 7, 2015, while employed with Progressive Medical Center, Austin, Texas, Respondent engaged in the intemperate use of alcohol in that she produced a specimen for

a random drug screen that resulted positive for Ethyl Glucuronide and Ethyl Sulfate. The use of alcohol 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.

The Texas Board of Nursing further finds that, given the nature of the charges concerning her fitness to practice, the continued practice of nursing by JACQUELYNN KAY HANKE constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Permanent Vocational Nurse License Number 172254, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 172254, issued to JACQUELYNN KAY HANKE, to practice nursing in the State of Texas be, and the same is/are, hereby SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61<sup>st</sup> day following the date of the entry of this order.

Entered this 16<sup>th</sup> day of February, 2016.

TEXAS BOARD OF NURSING

BY:

  
KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR

**In the Matter of** § **BEFORE THE TEXAS**  
**Permanent Vocational Nurse** §  
**License Number 172254** §  
**Issued to JACQUELYNN KAY HANKE,** §  
**Respondent** § **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JACQUELYNN KAY HANKE, is a Vocational Nurse holding License Number 172254, which is in Current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

#### **CHARGE I.**

On or about December 7, 2015, Respondent became noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on September 10, 2014. On or about December 7, 2015, Respondent produced a specimen for a random drug screen that resulted positive for Ethyl Glucuronide and Ethyl Sulfate, metabolites of alcohol. Respondent's failure to abstain from the consumption of alcohol is a violation of Stipulation Number Twelve (12) of the Agreed Order dated September 10, 2014, which expressly states:

"(12) RESPONDENT SHALL abstain from the consumption of alcohol . . . ."

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

#### **CHARGE II.**

On or about December 7, 2015, while employed with Progressive Medical Center, Austin, Texas, Respondent engaged in the intemperate use of alcohol in that she produced a specimen for a random drug screen that resulted positive for Ethyl Glucuronide and Ethyl Sulfate. The use of alcohol 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(B),(1)(E),(4),(5),(10)(A)&(10)(D).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

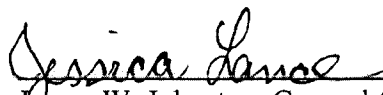
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NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated September 10, 2014; Agreed Order dated May 7, 2012.

Filed this 16<sup>th</sup> day of February, 2016.

TEXAS BOARD OF NURSING



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Attachments: Order of the Board dated September 10, 2014  
Order of the Board dated May 7, 2012

D(2015.11.18)



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

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In the Matter of § AGREED  
Vocational Nurse License Number 172254 §  
issued to JACQUELYNN KAY HANKE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JACQUELYNN KAY HANKE, Vocational Nurse License Number 172254, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Sections 301.452(b)(1),(9),(10)&(12), and 301.453. Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on June 26, 2014, subject to ratification by the Board.

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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Temple Junior College, Temple, Texas, on May 11, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on July 9, 1999.

5. Respondent's vocational nursing employment history includes:

07/1999 - 01/2004	LVN	Scott & White Hospital Waco, Texas
01/2004 - 03/2006	LVN	Girling Home Health Temple, Texas
02/2006 - 03/2008	LVN	Texas Home Health Temple, Texas
03/2008 - 03/2009	Unemployed	
03/2009 - 06/2009	LVN	Temple Meridian Temple, Texas
07/2009 - 07/2009	LVN	Corner Stone Gardens Temple, Texas
07/2009 - 12/2009	Unknown	
12/2009 - Present	LVN	Central Texas Hospital Cameron, Texas
08/2012- 08/2012	LVN	Shelby Regional Medical Center Center, Texas
08/2012 - 08/2013	Unknown	
08/2013 - Unknown	LVN	William R. Courtney Texas State Veterans Home Temple, Texas

6. On May 7, 2012, Respondent's license to practice vocational nursing was issued a Warning with Stipulations by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusion of Law, and Order of the Board, dated May 7, 2012, is attached and incorporated, by reference, as a part of this Order.
7. At the time of the incidents in Findings of Fact Nine (9) and Ten (10), Respondent was employed as a Licensed Vocational Nurse with Shelby Regional Medical Center, Center, Texas, and had been in this position for one (1) day.

8. On or about May 3, 2012, Respondent entered a plea of No Contest or Nolo Contendere to THEFT PROP >=\$50<\$500, a Class B misdemeanor offense committed on or about June 26, 2012, in the Bell County Court at Law No. 3, Bell County, Texas, under Cause No. 2C1102472. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and she was placed on probation for a period of nine (9) months. Additionally, Respondent was ordered to pay a fine and court costs.
9. On or about August 22, 2012, while employed as a vocational nurse with Shelby Regional Medical Center, Center, Texas, Respondent lacked fitness to practice vocational nursing in that she appeared confused with slurred speech, had an unsteady gait, and was disoriented. 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.
10. On or about August 22, 2012, while employed as a vocational nurse with Shelby Regional Medical Center, Center, Texas, Respondent engaged in the intemperate use of Hydrocodone and Hydromorphone in that she produced a urine specimen for a drug screen that resulted positive for Hydrocodone and Hydromorphone. Possession of Hydrocodone and Hydromorphone, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Hydrocodone and Hydromorphone 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.
11. On or about October 22, 2012, Respondent entered a plea of Guilty to CRIMINAL TRESPASS TO PROPERTY, an offense committed on or about October 20, 2012, in the County Court at Law, Bell County, Texas, under Cause No. 2C1206076. As a result of the conviction, Respondent was sentenced to thirty (30) days in the Bell County Jail, Bell County, Texas, with credit given for five (5) days. Additionally, Respondent was ordered to pay a fine and court costs.
12. On or about August 8, 2014, Respondent entered a plea of Nolo Contendere to, and was convicted of, THEFT OF PROP >50>500, a Class B Misdemeanor offense committed on or about March 21, 2014, in the County Court at Law, Bell County, Texas, under Cause No. 2C1403245. As a result of the conviction, Respondent was sentenced to one hundred twenty (120) days in the Bell County Jail, Bell County, Texas, with credit given for forty-two (42) days. Additionally, Respondent was ordered to pay a fine and court costs.
13. On or about August 8, 2014, Respondent entered a plea of Nolo Contendere to, and was convicted of, THEFT OF PROP >500>1500, a Class A Misdemeanor offense committed on or about March 21, 2014, in the County Court at Law, Bell County, Texas, under Cause No. 2C1403309. As a result of the conviction, Respondent was sentenced to one hundred twenty



(120) days in the Bell County Jail, Bell County, Texas, with credit given for twenty-five (25) days. Additionally, Respondent was ordered to pay a fine and court costs.

14. On or about August 8, 2014, Respondent entered a plea of Nolo Contendere to, and was convicted of, DRIVING WHILE INTOXICATED, a Class b Misdemeanor offense committed on or about April 18, 2014, in the County Court at Law, Bell County, Texas, under Cause No. 2C1404553. As a result of the conviction, Respondent was sentenced to one hundred twenty (120) days in the Bell County Jail, Bell County, Texas, with credit given for twenty-five (25) days. Additionally, Respondent was ordered to pay a fine and court costs.

15. On or about April 22, 2014, Respondent engaged in the intemperate use of Ethyl Glucuronide and Opiates in that she produced a specimen for a random drug screen that resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of alcohol, and Hydrocodone and Hydromorphone. Possession of Hydrocodone and Hydromorphone, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Hydrocodone and Hydromorphone, and Ethyl Sulfate, both metabolites of alcohol, 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.

16. On or about April 22, 2014, Respondent became noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on May 7, 2012. Respondent's noncompliance is the result of her failure to comply with Stipulation Number Eight (8) of the Order, dated May 7, 2012, which reads:

"(8) 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 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..."

On or about April 22, 2014, Respondent engaged in the intemperate use of Ethyl Glucuronide and Ethyl Sulfate, both metabolites of alcohol, and Hydrocodone and Hydromorphone in that she produced a specimen for a random drug screen that resulted positive for Ethyl Glucuronide and Ethyl Sulfate, both metabolites of alcohol, and Hydrocodone and Hydromorphone.

17. On or about May 22, 2014, Respondent engaged in the intemperate use of marijuana, in that she produced a specimen for a random drug screen that resulted positive for the marijuana metabolite (THC). Possession of marijuana, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of 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.

18. On or about May 22, 2014, Respondent became noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on May 7, 2012. Respondent's noncompliance is the result of her failure to comply with Stipulation Number Eight (8) of the Order, dated May 7, 2012, which reads:

"(8) 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 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..."

On or about May 22, 2014, Respondent engaged in the intemperate use of marijuana, in that she produced a specimen for a random drug screen that resulted positive for marijuana metabolite (THC).

19. On or about May 31, 2014, Respondent was arrested by the Georgetown Police Department, Georgetown, Texas, and subsequently charged with two (2) counts of POSS CS PG 1<1G, a State Jail Felony offense, in the 26th Judicial District Court, Williamson County, Texas, under Cause No. 14-1033-K26.

On or about June 23, 2014, Respondent pled Guilty to, and was convicted of, one (1) count of POSS CS PG 1<1G, a State Jail Felony offense, in the 26th Judicial District Court, Williamson County, Texas, under Cause No. 14-1033-K26. Respondent was sentenced confinement for forty (40) days.

On or about August 1, 2014, Respondent pled Guilty to, and was convicted of, of POSS DANGEROUS DRUG, a Class A Misdemeanor offense, committed on or about May 31, 2014, in the County Court at Law # 3 of Williamson County, Texas, under Cause No. 14-04329-3. Respondent was sentenced to confinement for forty (40) days, with credit for sixty-three (63) days served. The sentence of confinement was set to run concurrently with Cause No. 14-1033-K26.

20. 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),(10)(A),(10)(D),(11)(B)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1), (9),(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 172254, heretofore issued to JACQUELYNN KAY HANKE, including revocation of Respondent's license(s) 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 Vocational Nurse License Number 172254, previously issued to JACQUELYNN KAY HANKE, to practice nursing in Texas is/are hereby SUSPENDED and said suspension is ENFORCED until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve (12) consecutive months of sobriety. Any relapse prior to the completion of the twelve (12) consecutive months of sobriety will result in an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are

encumbered by this order the Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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.

IT IS FURTHER AGREED, upon verification of successful completion of the approved treatment and twelve (12) consecutive months of sobriety as set out in this Order, the Suspension will be STAYED, and RESPONDENT will be placed on PROBATION for three (3) years with the following agreed terms of probation:

(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 pay all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, 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.texas.gov/disciplinaryaction/stipscourses.html>

**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 AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. 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 STIPULATION PERIOD:**

(4) RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on RESPONDENT'S license(s). 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.

(5) 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.

(6) For the first year 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 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.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) 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. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for three (3) years of employment as a nurse.

(12) 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.

(13) 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 are the sole method accepted by the Board.

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.

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 refusal to submit to a drug or alcohol screen 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(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.

(14) 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) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

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(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

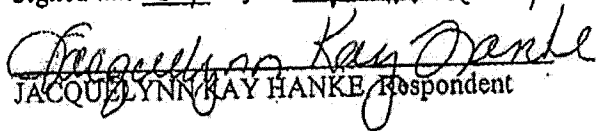
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RESPONDENT'S CERTIFICATION

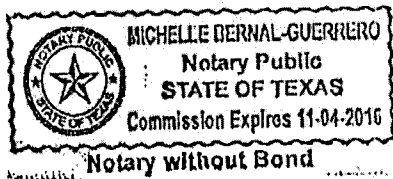
I understand that I have the right to legal counsel prior to signing this Agreed Order.

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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 2 day of September 2014.  
  
JACQUELYNN KAY HANKE, Respondent

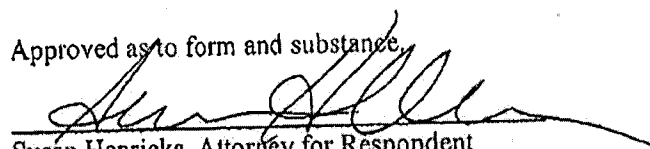
Sworn to and subscribed before me this 2nd day of September 2014.

SEAL



Notary Public in and for the State of Texas

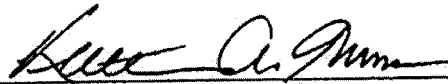
Approved as to form and substance.

  
Susan Henricks, Attorney for Respondent

Signed this 2nd day of September 2014.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 2nd day of September, 2014, by JACQUELYNN KAY HANKE, Vocational Nurse License Number 172254, and said Order is final.

Effective this 10th day of September, 2014.



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



I hereby certify this to be a complete and correct copy of the document which has been filed with me in the office of the Texas Board of Nursing.  
Katherine A. Thomas  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of Vocational Nurse § AGREED  
License Number 172254 §  
issued to JACQUELYNN KAY HANKE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JACQUELYNN KAY HANKE, Vocational Nurse License Number 172254, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10),(12)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 12, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, subject to ratification by the Board.

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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Temple Junior College, Temple, Texas, on May 11, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on July 9, 1999.
5. Respondent's complete vocational nursing employment history is unknown.

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Scott & White Memorial Hospital, Temple, Texas, and had been in this position for approximately one (1) year.
7. On or about February 27, 2009 through March 1, 2009, while employed as a Licensed Vocational Nurse with Scott & White Memorial Hospital, Temple, Texas, Respondent withdrew Hydromorphone from the Pyxis Medication Dispensing System for patients, but failed to document, or accurately document the administration of the medication in the patient's Medication Administration Record (MAR), as follows:

Date/Time	MR/Account Number	Pyxis Record	Physician's Orders	MAR	Wastage
2/27/09 10:25	50552787	Hydromorphone HCL 2mg/1ml inj (1)	Dilaudid 1mg IV q 2hrs prn pain	None	1mg
2/27/09 12:17	50552787	Hydromorphone HCL 2mg/1ml inj (1)	Dilaudid 1mg IV q 2hrs prn pain	None	1mg
2/27/09 16:34	50552787	Hydromorphone HCL 2mg/1ml inj (1)	Dilaudid 1mg IV q 2hrs prn pain	None	1mg
2/28/09 13:42	50552787	Hydromorphone HCL 2mg/1ml inj (1)	Dilaudid 1mg IV q 2hrs prn pain	None	1mg
2/28/09 19:40	50552787	Hydromorphone HCL 2mg/1ml inj (1)	Dilaudid 1mg IV q 2hrs prn pain	None	1mg
2/28/09 20:26	50552787	Hydromorphone HCL 2mg/1ml inj (1)	Dilaudid 1mg IV q 2hrs prn pain	None	1mg
3/1/09 12:25	50552787	Hydromorphone HCL 2mg/1ml inj (1)	Dilaudid 1mg IV q 2hrs prn pain	None	1mg
3/1/09 17:48	50552787	Hydromorphone HCL 2mg/1ml inj (1)	Dilaudid 1mg IV q 2hrs prn pain	None	1mg

Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

8. On or about March 3, 2009, while employed as a Licensed Vocational Nurse with Scott & White, Temple, Texas, Respondent lacked fitness to practice vocational nursing in that she was sleeping while on duty and was subsequently terminated for refusing to submit to a drug test. Respondent's conduct 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. Formal Charges were filed on November 29, 2011.
10. Formal Charges were mailed to Respondent on November 30, 2011.

11. On February 20, 2012, Respondent underwent a chemical dependency evaluation conducted by Dr. Matthew L. Ferrara. Respondent admitted that she didn't follow the policy for handling pain medication. Dr. Ferrara's recommendations indicate that Respondent has a few risk factors to suggest she might be at risk for chemical dependency. On the other hand, Respondent also has some protective factors and she has a generally positive work history. Overall, Dr. Ferrara recommends Respondent have her practice supervised and submit to random drug screens.

#### 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 of Section 301.452(b)(10), (12)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)&(1)(D). and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(E),(4)&(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 172254, heretofore issued to JACQUELYNN KAY HANKE, including revocation of Respondent's license(s) 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 RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and 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.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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.

IT IS FURTHER AGREED that:

(1) 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.texas.gov/disciplinaryaction/stipscourses.html>

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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.texas.gov/disciplinaryaction/stipscourses.html>

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board*

website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

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 AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. 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 STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). 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 stipulations on RESPONDENT'S license(s). 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.

(5) 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.

(6) 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.

(7) 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. 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 one (1) year(s) of employment as a nurse.

(8) 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 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.

(9) 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. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are 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 stipulation 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 stipulation 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(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED, that 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 shall be eligible for nurse licensure compact privileges, if any.

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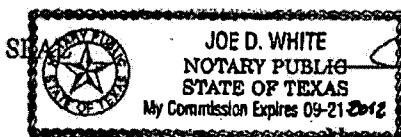
RESPONDENT'S CERTIFICATION

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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30 day of March, 2012.

Jacquelyn Kay Hanke  
JACQUELYNN KAY HANKE, Respondent

Sworn to and subscribed before me this 30 day of March, 2012



Joe D. White  
Notary Public in and for the State of Texas

Approved as to form and substance.

Ronald P. Wright  
Ronald P. Wright, Attorney for Respondent

Signed this 2 day of APRIL, 2012

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 30<sup>th</sup> day of March, 2012, by JACQUELYNN KAY HANKE, Vocational Nurse License Number 172254, and said Order is final.

Effective this 7th day of May, 2012.



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