



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 547115	§	
issued to JACQUELINE CONNOR KELLY	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JACQUELINE CONNOR KELLY, Registered Nurse License Number 547115, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 18, 2016.

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 Angelo State University, San Angelo, Texas, on May 13, 1988. Respondent was licensed to practice professional nursing in the State of Texas on September 1, 1988.
5. Respondent's nursing employment history includes:

5/88-8/88	Graduate Nurse	Humana Hospital Abilene, Texas
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Respondent's nursing employment history continued:

9/8/-11/88	Staff Nurse	Brackenridge Children's Hospital Austin, Texas
12/88-1991	Office Nurse	Antoine Albert, MD Ballinger, Texas
1992	Staff Nurse	Medical Center Hospital San Antonio, Texas
1992	Agency Nurse	Advanced Temporaries San Antonio, Texas
1992	Agency Nurse	Nurses Etc. San Antonio, Texas
1993-1/06	Not employed in nursing	
2/06-6/06	Home Health Nurse	Circle of Care San Antonio, Texas
2006-2008	Home Health Nurse	Pyramed Home Health San Antonio, Texas
2006-2009	Triage Nurse	Center for Healthcare Services San Antonio, Texas
2006-2009	Agency Nurse	Southwest Medical Staffing San Antonio, Texas
2009-2012	Agency Nurse	Consolidated Medical Staffing Columbia, South Carolina
10/12-Unknown	Agency Nurse	Angles of Care San Angelo, Texas
2/12-10/14	Agency Nurse	Critical Health Connection San Angelo, Texas
11/14	Staff Nurse	Shannon Medical Center San Angelo, Texas

Respondent's nursing employment history continued:

11/14-12/14	Agency Nurse	Supplemental Health Care Fort Worth, Texas
1/15-2/15	Agency Nurse	Texas PRN Odessa, Texas
3/15-Present	Unknown	

6. On or about July 20, 1993, Respondent's license to practice professional nursing in the State of Texas was issued the sanction of a REPRIMAND through an Agreed Order by the Board. A copy of the July 20, 1993 Agreed Order, including Findings of Fact and Conclusions of Law is attached and incorporated, herein, by reference, as part of this Order.
7. On or about March 16, 1994, the Board accepted the VOLUNTARY SURRENDER of Respondent's license to practice as a registered nurse in the State of Texas through an Order of the Board. A copy of the Findings of Fact, Conclusions of Law and Order, dated March 16, 1994, is attached and incorporated, herein, by reference, as part of this Order.
8. On or about October 19, 2006, Respondent's license to practice as a registered nurse in the State of Texas was REINSTATED through a Reinstatement Agreed Order by the Board. A copy of the October 19, 2006, Reinstatement Agreed Order, including the Findings of Fact, Conclusions of Law, and Order is attached and incorporated, by reference, as part of this Order.
9. On or about July 23, 2009, Respondent's license to practice professional nursing in the State of Texas was issued an ENFORCED SUSPENSION through an Agreed Order by the Board. A copy of the Agreed Order, including the Findings of Fact, Conclusions of Law and Order, dated July 23, 2009, is attached and incorporated, herein, by reference, as part of this Order.
10. At the time of the initial incident, Respondent was employed as a Staff Nurse with Shannon Medical Center, San Angelo, Texas, and had been in that position for approximately one (1) month.
11. On or about November 6, 2014, through November 7, 2014, while employed with Shannon Medical Center, San Angelo, Texas, Respondent lacked fitness to practice professional nursing in that she exhibited impaired behavior that included, but was not limited to: her head nodding, heavy eyes, difficulty focusing, eyes rolling, swaying in her chair, and slurred speech. Respondent's condition 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.

12. On or about December 10, 2014, while employed as a Registered Nurse with Supplemental Health Care, Fort Worth, Texas, and employed at Big Spring State Hospital, Big Spring, Texas, Respondent lacked fitness to practice professional nursing in that she exhibited impaired behavior that included, but was not limited to: bizarre and jerky movements, appearing sleepy, being unable to focus, and being fidgety. Respondent's condition 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.
13. On or about February 7, 2015, through February 9, 2015, while employed with Texas PRN, Odessa, Texas and working at Rock Prairie Behavioral, College Station, Texas, Respondent withdrew fifteen (15) Hydrocodone 10/325mg tablets from the medication dispensing system for patients SS, MF and LM, but failed to document, or accurately and completely document the administration (including signs, symptoms, responses and/or refusal of the medications), in the patients' Medication Administration Record (MAR). Respondent's conduct was likely to injure the patients, in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
14. On or about February 7, 2015, through February 9, 2015, while employed with Texas PRN, Odessa, Texas and working at Rock Prairie Behavioral, College Station, Texas, Respondent withdrew fifteen (15) Hydrocodone 10/325mg tablets from the medication dispensing system for patients SS, MF and LM, but failed to follow the facility's policy and procedure for wastage of the unused portions of the medication. Respondent's conduct left medications unaccounted for, was likely to deceive the hospital pharmacy, and placed the pharmacy in violation of the Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
15. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care.
16. Formal Charges were filed on April 10, 2015.
17. First Amended Formal Charges were filed on July 31, 2015.
18. First Amended Formal Charges were mailed to Respondent on August 4, 2015.
19. Respondent provided verifiable evidence of sobriety, in the form of urine drug screens, from August 2015, through February 2016, for a total of seven (7) months of verified sobriety.
20. Respondent has provided credible evidence of receiving treatment since 2015 from Dr. Brett

Nile for Opiate Use Disorder. As part of Respondent's treatment, Respondent was subject to Urine Drug Screens, all of which Dr. Nile reports as being negative. Respondent also provided evidence of receiving treatment since January 2015 from psychiatrist Mark Luley, D.O., for Depression, ADD, and Opiate Use Disorder. Both Dr. Nile and Dr. Luley report Respondent has been successful during the course of her treatment. Completion of a treatment program, prior to the suspension Respondent's nursing license being stayed, would have been a requirement of this order.

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),(1)(C)&(1)(D), and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(1)(C),(4),(5),(10)(A),(10)(C), &(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 547115, heretofore issued to JACQUELINE CONNOR KELLY, 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.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 547115, previously issued to JACQUELINE CONNOR KELLY, to practice nursing in Texas is hereby **SUSPENDED** and said suspension is **ENFORCED** until Respondent:

- A. Obtains twelve (12) consecutive months of sobriety, which may be demonstrated by monthly urine drug screens consistent with the "DRUG AND ALCOHOL RELATED REQUIREMENTS" of this Order.

Any relapse prior to the completion of the required twelve (12) consecutive months of sobriety will result in revocation or, at a minimum, an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

IT IS FURTHER AGREED, upon verification of successful completion of the above requirements, the Suspension will be **STAYED**, and RESPONDENT will be placed on **PROBATION** for a minimum of three (3) years **AND** until Respondent fulfills the requirements of this Order.

- D. 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.
- E. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- F. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- G. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for

licensure renewal, RESPONDENT SHALL successfully complete the following remedial education courses within one (1) year of the suspension being stayed, unless otherwise specifically indicated:

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

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

IV. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00) within ninety (90) days of suspension being stayed. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a licensed healthcare setting, for a minimum of

sixty-four (64) hours per month for twelve (12) quarterly periods [three (3) years] of employment.

This requirement will not be satisfied until twelve (12) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. **No Night or Rotating Shifts, Overtime, or On-Call:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit

other than the identified, predetermined unit(s) to which Respondent is regularly assigned.

- E. **No Critical Care:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse in any critical care area. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.
- F. **No Administration of Controlled Medications:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates.
- G. **Indirect Supervision:** For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- H. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for twelve (12) quarters [three (3) years] of employment as a nurse.

VI. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, RESPONDENT SHALL abstain from the use of alcohol, tramadol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written

report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

B. While working as a nurse under the terms of this Order, RESPONDENT SHALL submit to random periodic screens for alcohol, tramadol, and controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when Respondent obtains employment and submits the Notification of Employment form to the Board.

- For the first three (3) month [1st quarter] period RESPONDENT works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
- For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
- For the next six (6) month period [3rd & 4th quarters], random screens shall be performed at least once per month.
- For the remainder of the probation period, random screens shall be performed at least once every three (3) month quarterly period.

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

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

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates

Cocaine
Ethanol
tramadol hydrochloride (Ultram)

Phencyclidine
Propoxyphene

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

Consequences of Positive or Missed Screens. Any positive result for which RESPONDENT does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject RESPONDENT to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

- C. **While under the terms of this Order, RESPONDENT SHALL attend at least two (2) support group meetings each week,** one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month quarterly period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

VII. FURTHER COMPLAINTS

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

VIII. RESTORATION OF UNENCUMBERED LICENSE(S)

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

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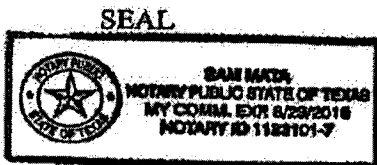
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 22 day of March, 20 16.

Jacqueline Connor Kelly
JACQUELINE CONNOR KELLY, Respondent

Sworn to and subscribed before me this 22 day of March, 20 16.



Sam Mackay
Notary Public in and for the State of Texas

Approved as to form and substance.

Taralynn R. Mackay
TARALYNN MACKAY, Attorney for Respondent

Signed this 24th day of March, 20 16.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 24th day of March, 2016, by JACQUELINE CONNOR KELLY, Registered Nurse License Number 547115, and said Order is final.

Effective this 21st day of April, 2016.

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 547115 §
issued to JACQUELINE MARIE KELLY § ORDER
AKA JACQUELINE MARIE GRAHAM §



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

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of JACQUELINE MARIE KELLY, Registered License Number 547115, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1) and (10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, 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.
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice as a registered nurse in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Angelo State University, San Angelo, Texas, on May 13, 1988. Respondent was licensed to practice professional nursing in the State of Texas on September 1, 1988.

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5. Respondent's nursing employment history includes:

5/88 - 8/88	Graduate Nurse	Humana Hospital Abilene, Texas
9/88 - 11/88	Staff Nurse	Brackenridge Children's Hospital Austin, Texas
12/88 - 1991	Office Nurse	Antoine Albert, MD Ballinger, Texas
1992	Staff Nurse	Medical Center Hospital San Antonio, Texas
1992	Agency Nurse	Advanced Temporaries San Antonio, Texas
1992	Agency Nurse	Nurses Etc. San Antonio, Texas
1993 - 2006	Not employed in nursing	
2007 - present	Unknown	

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6. On July 20, 1993, Respondent was issued the sanction of a Reprimand with Stipulations by the Board of Nurse Examiners for the State of Texas. A copy of the July 20, 1993, Order of the Board, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
 7. On March 16, 1994, the Board accepted the Voluntary Surrender of Respondent's license to practice as a registered nurse in the State of Texas. A copy of the March 16, 1994, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
 8. On October 19, 2006, Respondent's license to practice as a registered nurse in the State of Texas was Reinstated by the Board of Nurse Examiners for the State of Texas. A copy of the October 19, 2006, Reinstatement Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
 9. Respondent states that she attempted to comply with the provisions of the October 19, 2006, Reinstatement Agreed Order, but due to a Texas Peer Assistance Program for Nurses (TPAPN) requirement that she cease long-term prescribed medication, she was unable to complete the TPAPN program. Respondent had disclosed her use of the prescribed medication prior to the Order being entered and prior to entering the TPAPN program.

10. Subsequent to the October 19, 2006, Reinstatement Agreed Order, Respondent had presented a letter from Ted Williams, MD, who reports that Respondent has been compliant with her treatment, that he sees no evidence of substance abuse and that her recovery remains active. Respondent reports that she has been seen by other psychiatrists in the office since 1998, before Dr. Williams took over her care. The letter from Dr. Williams provides evidence of at least five (5) years of sobriety which is a requirement for an unencumbered license.
11. Respondent also provided a letter from psychiatrist Zenaida Eclarinal, MD, who informed the Board that she has worked with Ms. Graham (Kelly) for two (2) years at the Crisis Unit, a psychiatric unit that includes substance abuse patients, and that Respondent is very competent and an invaluable role model due to her personal recovery from addiction. She also states that "as a practicing psychiatrist, I have extensive education and experience caring for people with substance abuse diagnosis. I acknowledge and appreciate the fact that Jacqueline has successfully overcome any past substance abuse issues or concerns..." Respondent reports that at the Crisis Unit she assisted abuse patients in their recovery which in turn allowed her to work her own recovery program on a daily basis.
12. In December 2006, Respondent completed a refresher course which included a nursing jurisprudence and ethics component and thereby fulfilling the course requirement under this Order.
13. Respondent's reported date of sobriety is January 7, 1994.
14. Formal Charges were filed on September 23, 2008. A copy of the Formal Charges is attached and incorporated, by reference, as part of this Order.
15. Formal Charges were mailed to Respondent on September 23, 2008.

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 a violations of Section 301.452(b)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(9) and (11)(B).
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 547115, heretofore issued to JACQUELINE MARIE KELLY, 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 Registered Nurse License Number 547115, previously issued to JACQUELINE MARIE KELLY, to practice nursing in Texas is hereby SUSPENDED and said suspension is enforced until Respondent completes the following:

(1) RESPONDENT SHALL pay a monetary fine in the amount of seven hundred fifty (\$750.00) dollars. 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.

(2) 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.state.tx.us/about/stipscourses.html>.

IT IS FURTHER ORDERED that Permanent Certificate Number 547115 previously issued to JACQUELINE MARIE KELLY, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

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

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 have reviewed this Order. I neither admit nor deny the violation 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 4 day of June, 2009.

Jacqueline Marie Kelly
JACQUELINE MARIE KELLY, Respondent

Sworn to and subscribed before me this 4 day of June, 2009.

SEAL

Gretchen R. Johnston

GRETCHEN R. JOHNSTON
Notary Public in and for South Carolina
Residing in Sumter County, South Carolina
My Commission Expires February 26, 2013

South Carolina

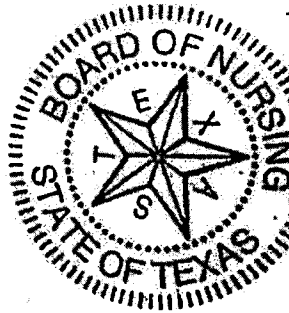
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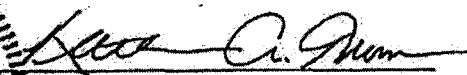
Taralynn R. Mackay
TARALYNN R. MACKAY, Attorney for Respondent

Signed this 8th day of June, 2009

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 4th day of June, 2009, by JACQUELINE MARIE KELLY, Registered Nurse License Number 547115, and said Order is final.

Effective this 23rd day of July, 2009.




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

In the Matter of Permanent License
Number 547115, Issued to
JACQUELINE MARIE GRAHAM, Respondent

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BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JACQUELINE MARIE GRAHAM, is a Registered Nurse holding license number 547115, 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 March 2007, Respondent failed to comply with the Reinstatement Agreed Order issued to her on October 19, 2006, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) contract during its term, which included areas of assessment, treatment, and drug screens. On February 11, 2008, Respondent was dismissed from TPAPN and referred to the Board.

A copy of the Reinstatement Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation 22 TEX. ADMIN. CODE §217.12(9) and (11)(B).

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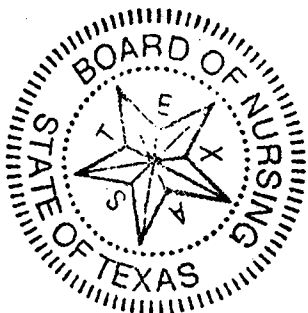
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. 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.state.tx.us.

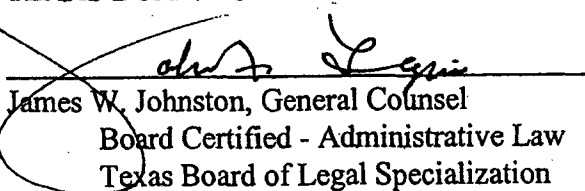
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Orders which 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 July 20, 1993, Agreed Order dated March 16, 1994, and Reinstatement Agreed Order dated October 19, 2006.

Filed this 22nd day of September, 2008.



TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Victoria Cox North, Assistant General Counsel
State Bar No. 00789585

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512) 305-7401

Attachments: Agreed Order dated July 20, 1993.
Agreed Order dated March 16, 1994.
Reinstatement Agreed Order dated October 19, 2006.

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse

License Number 547115

issued to JACQUELINE MARIE CONNOR (GRAHAM)

§ REINSTATEMENT

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AGREED 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.
Stephanie C. Thomas
Executive Director of the Board

On this day came to be considered by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 547115, held by JACQUELINE MARIE CONNOR (GRAHAM) hereinafter referred to as Petitioner.

An informal conference was held on August 15, 2006, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Melinda Hester, MS, RN, Nursing Consultant, Executive Director's Designee; E. Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from Angelo State University, San Angelo, Texas, on May 13, 1988. Petitioner was originally licensed to practice professional nursing in the State of Texas on September 1, 1988.

4. Petitioner's professional nursing employment history includes:

5/88 - 8/88	Graduate Nurse	Humana Hospital Abilene, Texas
9/88 - 11/88	Staff Nurse	Brackenridge Children's Hospital Austin, Texas
12/88 - 1991	Office Nurse	Antoine Albert, MD Ballinger, Texas
1992	Staff Nurse	Medical Center Hospital San Antonio, Texas
1992	Agency Nurse	Advanced Temporaries San Antonio, Texas
1992	Agency Nurse	Nurses Etc. San Antonio, Texas
1993	Not employed in nursing	

5. On July 20, 1993, Petitioner was issued the sanction of a Reprimand with Stipulations by the Board of Nurse Examiners for the State of Texas. A copy of the July 20, 1993, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

6. On March 16, 1994, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the March 16, 1994, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

7. On or about April 17, 2006, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.

8. Petitioner presented the following in support of her petition:

8.1 Letter of support, dated February 21, 2006, from Kevin L. Duren M.Ed., states he has known Petitioner for approximately three (3) years, during which time they have become very close friends. Mr. Duren is aware of Petitioner's history of drug addiction, as she has disclosed this to him as they grew to know each other. Throughout the time that Mr. Duren has known Petitioner, he has never seen any sign of drug use, including alcohol. Mr. Duren states if a person were not told about

Petitioner's history, they would never guess that she ever had a problem. Petitioner and Mr. Duren have conversed several times about her sincere desire to return to her much loved profession of nursing. The hallmark of Petitioner's character is her honesty. She approaches any analytical task with an exacting eye that is scientific, thorough, and meticulous. Petitioner is forthright, but neither intimidates nor intrudes. She is genuinely friendly and a pleasure to be around.

8.2. Letter of support, dated February 22, 2006, from Charles Dawes, states he came to know Petitioner approximately three (3) years ago after she was hired as a child support enforcement officer with the Office of the Attorney General (OAG) in San Antonio, Texas. Immediately impressive was the amount of enthusiasm she possesses when it comes to helping other people. Equipped with superior communication skills and professional demeanor, Petitioner consistently demonstrated all of these qualities and more while with the OAG. Petitioner is reliable, dedicated and eternally upbeat. Her ability to calm angry, frustrated, sometimes needy clients, was unparalleled, and it is because of her excellence in this area, she was recognized several times by the attorney general following receipt of written letters of glowing praise for work well done. Petitioner multi-tasked effectively and was able to handle a high-volume workload.

8.3. Letter of support from Roy Daniels, Universal City, Texas, states he has known Petitioner for several years and considers her to be a very bright, sensitive, and caring person. Even though Petitioner has not been active in the nursing field, Mr. Daniels believes it is her "calling." She is extremely thoughtful, considerate, and eager to help others in any type of situation. Mr. Daniels would not hesitate to be treated by Petitioner in any type of medical emergency. Mr. Daniels believes Petitioner should be reinstated and be allowed to practice the profession she loves.

8.4. Documentation of twenty-five (25) Type I Continuing Education contact hours.

9. Petitioner gives January 7, 1994, as her date of sobriety.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. 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.

3. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Board of Nurse Examiners, that the petition of JACQUELINE MARIE CONNOR (GRAHAM), Registered Nurse License Number 547115, to practice professional nursing in the State of Texas, be and the same is hereby GRANTED SUBJECT TO THE FOLLOWING CONDITIONS SO LONG AS THE PETITIONER complies 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 §211.01 *et. seq.* and the stipulations contained in this Order:

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a minimum 80-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to JACQUELINE MARIE CONNOR (GRAHAM), shall be subject to the following agreed post-licensure stipulations:

(6) PETITIONER SHALL, within forty-five (45) days following the date of relicensure, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

(7) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(8) PETITIONER SHALL comply with all requirements of the TPAPN contract during its term.

(9) PETITIONER SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED, SHOULD PETITIONER fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Petitioner's license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, PETITIONER SHALL be issued unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 21 day of September 2006.

Jacqueline Marie Connor Graham
JACQUELINE MARIE CONNOR (GRAHAM), Petitioner

Sworn to and subscribed before me this 21 day of September, 2006.


SEAL



Sarah Hernandez
Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 21st day of September, 2006, by JACQUELINE MARIE CONNOR (GRAHAM), Registered Nurse License Number 547115, and said Order is final.

Effective this 19th day of October, 2006.


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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate
Number 547115 issued to
JACQUELINE MARIE CONNOR

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ORDER OF THE BOARD

To: Jacqueline Marie Connor
c/o Shades of Hope
P.O. Box 639
Buffalo Gap, Texas 79508

The Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of professional nurse license number 547115, issued to JACQUELINE MARIE CONNOR. This action was taken in accordance with Article 4525.1(c), Revised Civil Statute of Texas, as amended.

The Board makes the following Findings of Fact and Conclusions of

Law.

FINDINGS OF FACT

1. That JACQUELINE MARIE CONNOR is currently licensed to practice professional nursing in the State of Texas.
2. That JACQUELINE MARIE CONNOR submitted a notarized statement and professional nurse license number 547115 to the Board voluntarily surrendering the right to practice professional nursing in Texas.

CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended the Board has jurisdiction over this matter.
2. That, under Article 4525.1(c), Revised Civil Statutes of Texas, as amended, the Board has the authority to accept the voluntary surrender of a license.

ORDER

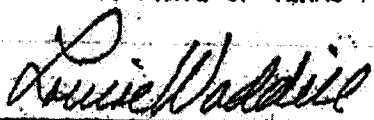
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of license number 547115, heretofore issued to JACQUELINE MARIE CONNOR to practice professional nursing in the State of Texas is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following condition(s):

1. JACQUELINE MARIE CONNOR shall not submit an application for reinstatement until one (1) year has elapsed from the date of this Order.
2. At the time of JACQUELINE MARIE CONNOR's petition for reinstatement is submitted to the Board, she will include evidence of successful completion of chemical dependency treatment.

Entered this 16th day of March, 1994.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

By:

 *Bo* 3/17/94
Louise Waddill, Ph.D. R.N.
Executive Director on behalf
of said Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate
Number 547115 issued to
JACQUELINE MARIE CONNOR

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AGREED ORDER

By letter dated March 26, 1993, the Board of Nurse Examiners, hereinafter referred to as the Board, gave preliminary notice to JACQUELINE MARIE CONNOR, hereinafter referred to as Respondent, of its intent to take disciplinary action with respect to registered nurse license number 547115. An investigation by the Board produced evidence indicating that Respondent may have violated Article 4525(a)(8), Revised Civil Statutes of Texas as amended.

A hearing before an Administrative Law Judge was scheduled to be heard on July 7, 1993. Prior to this hearing being formally called, Respondent and her legal counsel, Charles E. Anderson, M.D., J.D., met with Board staff and agreed to staff recommendation of a reprimand with stipulations for two (2) years.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. That Charges were filed by the Board on March 26, 1993.
3. That Charges were mailed to Respondent on March 26, 1993.
4. Respondent, on or about July 4, 1992, while employed by Nurse Works Inc., San Antonio, Texas, and working at Wilford Hall Medical Center, Lackland Air Force Base, San Antonio, Texas, engaged in the intemperate use of meperidine.
5. Respondent now resides in Louisiana and is currently attending the aftercare program at Riveroaks Hospital, New Orleans, Louisiana. Respondent presented evidence of consistent support group attendance, clean urine screens, and employment as a nurse tech for the months of April through June, 1993.
6. Respondent has been admitted on voluntary waiver, to the Louisiana Board of Nursing Recovering Nurse Program, pending resolution of the Texas disciplinary matter.

CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended the Board has jurisdiction over this matter.
2. That Charges were filed by the Board in accordance with law.
3. That Charges were served upon Respondent in accordance with law.
4. That the evidence received was conclusive to prove intemperate use of alcohol or drugs that the board determines endangers or could endanger patients. Intemperate use includes but is not limited to practicing professional nursing or being on duty or call while under the influence of alcohol or drugs.
5. That the activities of the Respondent constituted sufficient cause pursuant to Article 4525(a)(8), Revised Civil Statutes of Texas as amended, to take disciplinary action against license number 547115, heretofore issued to JACQUELINE MARIE CONNOR.

After discussion of the matters previously outlined in this Order, it was agreed among the parties, subject to ratification by the Board of Nurse Examiners, that:

License Number 547115, heretofore issued to JACQUELINE MARIE CONNOR
to practice professional nursing in the State of Texas be and the same is hereby issued a reprimand.

Respondent agrees to return her current certificate of re-registration (wallet-size) to the office of the Board for appropriate notation within ten (10) days of the date of entry of the Board Order.

IT IS FURTHER AGREED that the license issued to Respondent be subject to the following stipulations for two (2) years of employment as a professional nurse:

1. Respondent shall present a copy of this Order to the Louisiana State Board of Recovering Nurse Program.

2. Respondent shall contract with the Louisiana State Board of Nursing Recovering Nurse Program and participate in the program for two (2) years.
 3. Respondent shall cause the Louisiana State Board of Nursing Recovering Nurse Program to send written notification to the Texas Board of Nurse Examiners of any incidents of non-compliance with her contract and/or her successful completion of her contract.
 4. If Respondent returns to the State of Texas before she has completed her contract with the Louisiana State Board of Nursing Recovering Nurse Program, Respondent shall notify the Texas Board of Nurse Examiners of her return to Texas and and present proof of enrollment in the Texas Peer Assistance Program for Nurses prior to obtaining employment as a professional nurse in the State of Texas.
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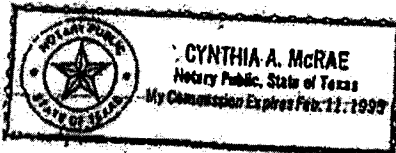
I have reviewed this Agreed Order. I consent to the issuance of this Order of the Board and all terms and conditions contained herein. I have been represented by legal counsel, Charles Anderson, M.D., J.D., prior to entering into this Agreed Order. I hereby waive my right to a hearing and judicial review of this Order. By my signature on this Order, I admit the intemperate use of meperidine. I agree to the entry of an Order dispensing with the need for further disciplinary action in this matter.

Dated this 7 day of July, 1993.

Jacqueline Connor
JACQUELINE MARIE CONNOR

Sworn to before me this 17th day of July, 1993.

SEAL




Cynthia A. McRae
Notary Public in and for the State of Texas

Approved as to form and substance.

Charles E. Anderson
Charles E. Anderson, M.D., J.D.
Attorney for Respondent

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order signed by JACQUELINE MARIE CONNOR, license number 547115, on the 7th day of July, 1993, and said Order is final.

Entered this 20th day of July, 1993.



Louise Maddill, Ph.D., R.N.
Executive Director on behalf
of said Board